



Kansas Register

Bill Graves, Secretary of State

Vol. 13, No. 50 December 15, 1994 Pages 1907-1952

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 19 through January 1:

Date	Room	Time	Committee	Agenda
December 19	313-S	1:30 p.m.	Legislative Coordinating Council	Legislative matters.
December 19	531-N	10:00 a.m.	Joint Committee on	Review agency budget requests
December 20	531-N	9:00 a.m.	Computers and Telecommunication	and other matters.
December 19	Garden City Dodge City	Morning Afternoon	Blue Highway Committee - Urban Revitalization	Agenda to be announced.
December 20	Hutchinson Wichita	Morning Afternoon		
December 21	Topeka Leavenworth	Morning Afternoon		
December 22	Kansas City Kansas City	Morning Afternoon		Committee discussion.
December 27	531-N	10:00 a.m.	Joint Committee on State	Agenda not available.
December 28	531-N	9:00 a.m.	Building Construction	
December 29	531-N	9:00 a.m.		

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 015716

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY
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235-N, State Capitol
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State of Kansas

Kansas Development Finance Authority

Notice of 1995 Meeting Dates

The Kansas Development Finance Authority Board of Directors will meet on the following dates for calendar year 1995: January 6, February 3, March 3, April 7, May 5, June 2, July 7, August 4, September 8, October 6, November 3 and December 8. For further information, contact the Kansas Development Finance Authority at (913) 296-6747.

Wm. F. Caton
President

Doc. No. 015708

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1993 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 12-19-94 through 12-25-94

Term	Rate
0-90 days	5.50%
3 months	5.65%
6 months	6.42%
9 months	6.98%
12 months	7.21%
18 months	7.46%
24 months	7.48%
36 months	7.68%
48 months	7.76%

Sally Thompson
State Treasurer

Doc. No. 015709

State of Kansas

Board of Emergency Medical Services

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Wednesday, February 1, in the auditorium, Room B-12 of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of proposed changes in existing permanent Kansas administrative regulation 109-10-1.

This notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to Bob McDanel, Administrator, Board of Emergency Medical Services, 109 S.W. 6th, Topeka 66603-3826. Copies of the proposed regulation and economic impact statement may be obtained by contacting Bob McDanel.

All interested parties will be given a reasonable opportunity at the hearing to present their views orally on

the adoption of the proposed regulation. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Bob McDanel at (913) 296-7296 or TDDY (913) 296-6349.

Most of the proposed changes to this regulation clarify that the curricula discussed are for initial courses of instruction, revoke the crash injury management technician curriculum and clarify existing board policy as to the required curriculum for automated external defibrillation, instructor-coordinator basic course, instructor-coordinator advanced endorsement courses and training officer I and training officer II initial courses of instruction.

There is no economic impact to the above discussed changes to this regulation since there is no change in what is currently required.

Another change made in this regulation will establish the required curriculum for inter-active television endorsement of instructor-coordinators and training officers. There is no requirement that instructor-coordinators and training officers use inter-active television; therefore, there is no economic impact imposed due to this modification. Those individuals desiring inter-active television endorsement will realize a cost of approximately \$200 to \$300 to receive the training. These costs are for registration fees, travel and subsistence.

Another proposed change to this regulation will modify the curriculum required to be used by instructor-coordinators to teach emergency medical technician initial courses of instruction. The economic impact for this portion of the proposed changes of this regulation may cost training programs approximately \$3,000 to \$8,000 to purchase additional equipment necessary to teach the added material. Some vendors of this equipment have lease, rental and loan programs which will significantly reduce the costs of providing this training. Additionally, instructor-coordinators and training officers will have to attend training sessions designed to teach them about the curriculum modifications prior to allowing them to use the curriculum. The costs for instructor-coordinators and training officers to attend these training sessions will be approximately \$200 to \$300 for registration fees, travel and subsistence.

Bob McDanel
Administrator

Doc. No. 015711

State of Kansas

Department of Education

Request for Proposals

Federal funds are currently available under Section 123(a)(1) 8% State Education Coordination through the Job Training Reform Amendments of 1992. The Kansas State Board of Education and the Kansas Department of Human Resources have transmitted the "Application for Funds" through service delivery areas I, II, III, IV and V to local education agencies, post-secondary institutions, community-based organizations and private colleges for the following programs: (1) School-to-Work Transition, (2) Literacy and Lifelong Learning Opportunities, and (3) Non-Traditional Skill Training and Employment for Women.

Solicitation for proposals will be accepted through February 24. For more information and/or a proposal application, please contact the Kansas State Board of Education, JTPA/Education Coordination, 120 S.E. 10th, Topeka 66612-1182, (913) 296-2091 (an equal employment/education opportunity agency).

Dr. Lee Droegemueller
Commissioner of Education

Doc. No. 015707

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, January 19, at the Topeka Plaza Inn, 3802 S.W. Topeka Blvd., Topeka, to consider the approval and adoption of several department regulations. There will be a public comment period at the beginning of the evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. January 19 at the location listed above. The public will also be given the opportunity to comment on any non-agenda items at the beginning of the meeting, and on agenda items during the meeting. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. Old and new business may also be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. January 20 at the location listed above.

If notified in advance, the department will have an interpreter available for the hard of hearing. To contact the department for this or any other reason, members of the public with a hearing impairment may call the TDD service at 1-800-766-3777. All public meeting areas are accessible to those who are physically disabled.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Request for

accommodation should be made at least five working days in advance of the hearing by contacting Brenda Dean at (316) 672-5911.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations to be heard during the regulatory hearing portion of the meeting are:

K.A.R. 115-20-1. Crows; legal equipment, taking methods, and possession. This permanent regulation is recommended for amendment. The regulation deals with the hunting of crows and specifies that possessed crows may be disposed of in any manner. This would allow commercialization which is not authorized under federal regulation. The amendment would create a provision that crows cannot be purchased, sold, bartered or offered for purchase, sale or barter. This regulation was brought forth for public hearing at the November 17 commission meeting in Dodge City. The commission chose to continue the hearing on this regulation to the January commission meeting and public hearing.

Economic Impact Summary: No impact is anticipated, as the state regulation is being brought into conformity with federal regulation. The activity addressed is already illegal and there is no information to indicate that any such market use has occurred in Kansas.

K.A.R. 115-30-3. Personal flotation devices; requirements. This permanent regulation is proposed for amendment. It specifies requirements for the use of PFDs on vessels. The amendment would require all vessels less than 16 feet in length and all canoes and kayaks to have at least one type I, II or III PFD on board for each individual being towed. Currently, only a PFD is required which would include type IV and V PFDs. The amendment is in response to changes in the U.S. Coast Guard boating regulations which take effect in May 1995.

Economic Impact Summary: Minimal impact is anticipated, as most vessels less than 16 feet in length are not used for towing individuals and for those that do, the department estimates that most already have the proposed type of PFDs on board.

Jim Holderman
Chairman

Doc. No. 015705

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of Negotiations
for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the design and construction administration of the renovation and addition to the Kansas State University Student Union.

The project will include major and minor remodeling of the existing 260,000 square foot facility, an expansion of approximately 20,000 square feet and the construction of a new structure in the northern part of campus for vending services. The project will allow for the expansion and reorganization of current functions into more efficient and effective units, provide space for new types of services, upgrade the infrastructure, enhance the landscaping and develop a new student quad.

Submissions should include details on each firm's specific experience required for this project. Demonstrated experience in the design of new and renovated retail shopping districts, malls and food courts is required. Knowledge of the design of major convention space, ballrooms and meeting rooms is required. Design portfolio should include evidence of experience dealing with major outdoor public spaces and entry points to structures. Previous experience in the design of student unions is recommended but not required.

The university intends to hire a food services consultant separately from the architectural team. Other consultants should address experience in the areas of landscape design, mechanical and electrical infrastructure, fire safety and computer/telecommunications. Partnership with nationally based design firms will be considered, provided the responsibility of each firm is clearly delineated.

The university has completed the program for this project. Copies of the program will be made available to the firms selected for interview. A review copy of the program will be available for study in the office of the Division of Facilities Planning, 202 Dykstra Hall, Kansas State University, Manhattan, (913) 532-6377, or in the Division of Architectural Services. Firms desiring a site visit should coordinate their activities with Gerald R. Carter, A.I.A., Director of Facilities Planning/University Architect, (913) 532-6377.

An original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367.

Any questions or expressions of interest should be directed to Gary Grimes on or before January 19.

J. David DeBusman
Director, Division of
Architectural Services

Doc. No. 015703

State of Kansas

Department of Revenue
Division of Taxation

Public Notice

Department of Revenue Notice 94-08 provided for the addition of taxes on or measured by income to federal taxable income when computing income for Kansas privilege tax purposes.

The Kansas privilege tax under K.S.A. 79-1106 *et seq.* is a tax for the privilege of doing the business of a financial institution. Privilege tax is measured by income for the next preceding taxable year. Under K.S.A. 79-1109, K.S.A. 79-32,138(b)(i), and K.S.A. 79-32,117(b)(ii), taxes on or measured by income must be added back when computing Kansas privilege tax net income. Because the Kansas privilege tax is a tax measured by income within the meaning of K.S.A. 79-32,117(b)(ii), it must be added back to federal taxable income when computing income for privilege tax purposes.

Privilege taxpayers must add the taxes on or measured by income (which were deducted on the federal return in arriving at federal taxable income). The Kansas Department of Revenue will implement the addition of taxes for all taxable years beginning after December 31, 1993 (privilege tax years 1995 and thereafter).

As a result of Department of Revenue Notice 94-08, privilege taxpayers will not be subject to the penalty for underpayment of estimated tax for the privilege tax year 1995 if:

- 1) the estimated payments made prior to December 15, 1994, are equal to or exceed the payments that would be due on Kansas privilege tax that is computed on Kansas taxable income that does not include the add back modification of taxes; and
- 2) the estimated payment that is due on or after December 15, 1994, includes a "catch-up" estimate payment for the prior quarters. (The "catch-up" estimate payment will be based on the increased tax due as a result of the add back modification of taxes); or
- 3) the current year estimated tax payments equal or exceed the tax shown on the previous years tax return; or
- 4) the taxpayer's privilege tax liability does not exceed \$500.

If you have questions regarding this notice, contact the Taxpayer Assistance Bureau, Kansas Department of Revenue, Docking State Office Building, 915 S.W. Harrison, Topeka 66625-0001, (913) 296-3044.

Dated: October 1994.

Brett H. Robinson
Director of Taxation

Doc. No. 015721

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, January 19, in the SRS executive conference room, 603-N, Docking, State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of proposed changes in existing rules and regulations on a permanent basis effective April 1, 1995.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Social and Rehabilitation Services, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

A summary of the proposed regulations and their economic impact follows:

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-58. Definitions. This regulation is being updated to reflect the new timely filing limitation of 12 months.

Economic Impact: This change is administrative in nature and has no fiscal impact beyond the changes which were effective July 1, 1994, by statute.

39-5-59. Provider participation requirements. This regulation is being amended to allow out-of-state mail order pharmacies to receive Medicaid payment for services provided to a recipient with a third primary payer.

Economic Impact: This regulation change will produce a cost savings to the program by shifting certain pharmacy costs to liable third party payers. The extent of the cost savings will be dependent on the level of participation by out-of-state mail order providers that meet the billing criteria. There will be no cost to the program by allowing this group of providers limited participation in the Medicaid program.

30-5-106. Scope of ambulance services. This regulation is being amended to clearly state that non-emergency ambulance transportation of nursing facility residents is not covered. This limitation has previously appeared in the nursing facility regulations as the cost of this service is reflected in the nursing facility cost report. Placing the limitation in this regulation will make the limitation more accessible to ambulance providers.

Economic Impact: This change is administrative in nature and has no fiscal impact.

30-5-107. Scope of non-ambulance medical transportation. This regulation is being amended to state that non-emergency medical transportation of nursing facility residents is not covered. This limitation has previously appeared in the nursing facility regulations as the cost of this service is reflected in the nursing facility cost report. Placing the limitation in this regulation makes the information more accessible to nonambulance medical transportation providers.

Economic Impact: This change is administrative in nature and has no fiscal impact.

Article 10.—ADULT CARE HOME PROGRAM

30-10-20. Payment of claims. This regulation is being updated to reflect the 12 month timely filing limitation.

Economic Impact: This change is administrative in nature and has no fiscal impact beyond changes made July 1, 1994.

(New Article Title)**Article 12.—REHABILITATION SERVICES**

30-12-36. Hearing aid services. New regulation. Rehabilitation Services provides funding for hearing aids to persons with disabilities who are seeking employment. A vocational rehabilitation counselor discusses the service needs with each client and authorizes payments.

Economic Impact: There are no additional costs nor savings. It is common practice to purchase a screening exam prior to dispensation of hearing aids, both for new and experienced hearing aid users.

Copies of the regulations and their economic impact statements may be obtained from the Office of the Secretary, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka 66612, (913) 296-3271.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Barbara Conant at (913) 296-3271 or by calling the Kansas Relay Center at 1-800-766-3777.

The public is invited to this hearing. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Salina, Topeka (area office), and Wichita.

The adoption of the April 1, 1995, permanent regulations will take place at the hearing. Teleconference will not be available.

Donna L. Whiteman
Secretary of Social and
Rehabilitation Services

Doc. No. 015688

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction January 17 the following houses located in Severy, Kansas, described as follows:

- Tract 6:** - Address: R.R. 1, Box 134
8 a.m. (Approximately 6 miles west of the Highway 99 and Highway 96 junction.)

A wood frame house with attached 2-car garage, fireplace, 2 bedrooms and 1 3/4 bathrooms. Also, a 576 sq. ft. hay barn.

- Tract 11:** - Address: Rt. 1
9:30 a.m. (Approximately 4 miles west of the Highway 99 and Highway 96 junction.)

A wood frame house with detached 2-car garage, 6 bedrooms and 1 bathroom. Also, a 1,920 sq. ft. hay barn and 2 utility sheds.

- Tract 19:** - Address: Rt. 1, Box 122
1 p.m. (Approximately 3 miles west of the Highway 99 and Highway 96 junction.)

A wood frame house with detached garage, 3 bedrooms, and 1 bathroom. Also, 2 utility buildings, a storage shed, and a chicken house.

An inspection of properties will be January 10 from 9:30 a.m. to 10 a.m. for Tract 6, from 10 a.m. to 10:30 a.m. for Tract 11, from 10:30 a.m. to 11 a.m. for Tract 19, and 30 minutes prior to each sale.

The successful bidder will be required to remove the structure or structures from the right of way on or before February 20, 1995.

A performance bond of \$2,500 must be posted on the day of the sale for each tract as a guarantee of removal of the structure. Any item not removed from the right of way on or before the specified date shall revert to, and become the property of, the Kansas Department of Transportation. The purchaser shall have no right, title, interest or claim to or lien upon said remaining items or part thereof, nor any claim against the Department of Transportation for the sale price paid after said date. The purchaser shall not permit use or occupancy of said structure pending removal from highway right of way. If applicable, the purchaser shall, during interim period of moving the improvements and filling in the basements, mark the area with tape, ribbon or fencing, warning the public of the opening. All septic tanks must be filled.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap, or national origin.

Terms of the Sale

Money order, certified or cashier's check for full price. Make check payable to "Secretary of Transportation." The purchaser will receive a bill of sale.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional in-

formation, contact Bev Lee, Bureau of Right of Way, (913) 296-6933.

Michael L. Johnston
 Secretary of Transportation

Doc. No. 015712

State of Kansas

Office of the Governor

Executive Order No. 94-170

Rescinding Executive Order No. 92-149 Directing the Implementation of Total Quality Management Within the Executive Branch of the State of Kansas

WHEREAS, Executive Order No. 92-149 ordered administrative heads of all state boards, commissions, agencies and institutions under the governor's jurisdiction to implement Kansas Quality Management, established the Governor's Kansas Quality Management Council, and the Governor's Kansas Quality Management Planning and Guidance Committee.

WHEREAS, 1994 Senate Bill No. 672 (1994 Session Laws of Kansas, Ch. 91, § 1), established the Kansas Quality Program within the Department of Administration to implement Total Quality Management principles throughout the executive branch of state government.

WHEREAS, pursuant to the Secretary of Administration's authority to adopt rules and regulations for the administration and implementation of the Kansas Quality Management Program, the Secretary has adopted K.A.R. 1-63-2 creating the Kansas Quality Management Advisory Council which exercises the functions formerly performed by the Governor's Kansas Quality Management Council, and establishing the Kansas Quality Management Planning and Guidance Committee, which performs the functions formerly performed by the Governor's Kansas Quality Management Planning and Guidance Committee.

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, it is hereby ordered that Executive Order No. 92-149 is hereby rescinded because its purposes are currently carried out by 1994 Session Laws of Kansas, Ch. 91, and by K.A.R. 1-63-2.

This document shall be filed with the Secretary of State as Executive Order No. 94-170 and shall be effective immediately.

Dated December 8, 1994.

Joan Finney
 Governor
 Attest: Bill Graves
 Secretary of State

Doc. No. 015723

State of Kansas

Attorney General

Opinion No. 94-158

Counties and County Officers—Jails—Closing of Jail; Compensation for Prisoners in Alternate Facilities. William I. Heydman, Edwards County Attorney, Kinsley, December 1, 1994.

The city is responsible for jail expenses incurred by prisoners who are arrested for violating city ordinances. The county is responsible for jail expenses incurred by prisoners who are arrested for violating state statutes, whether they are arrested by the city police, Kansas Bureau of Investigation agents or Kansas Highway Patrol officers. The county is entitled to receive compensation from the federal government for keeping United States prisoners. Cited herein: K.S.A. 19-1910; 19-1916; 19-1917; K.S.A. 1993 Supp. 19-1930. NKF

Opinion No. 94-159

Counties and County Officers—Miscellaneous Provisions—Powers of the Board of County Commissioners; Office Hours of the County Attorney's Office. Eric K. Rucker, Dickinson County Attorney, Abilene, December 1, 1994.

The county attorney may set office hours during which that office will be open to the public in his or her discretion. The board of county commissioners may not collect forfeiture for noncompliance with K.S.A. 19-2601 for failure to keep the office open. Cited herein: K.S.A. 19-302; 19-503; 19-805; 19-1202; 19-2601. NKF.

Robert T. Stephan
Attorney General

Doc. No. 015713

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 94-33

Written November 29, 1994, to Ronald R. Hein, Hein, Ebert and Weir, Chtd., Topeka.

This opinion is in response to your letter of September 12, 1994, in which you request a letter from the Kansas Commission on Governmental Standards and Conduct concerning the lobbying provisions of the state governmental ethics laws (K.S.A. 46-215 *et seq.*).

Factual Statement

We understand you request this opinion as a major stockholder of a professional corporation, Hein, Ebert and Weir, Chtd., which is a law firm. Your firm is not exclusively a lobbying firm, but is a general practice law firm. Among your many clients are clients who contract with the firm to do lobbying. You are the only attorney who registers as a lobbyist currently, although you have another non-attorney registered as a lobbyist, and an additional person who was sworn in as an attorney in September who will lobby. There are also three other law-

yers who are involved in the general practice of law, who do not register as lobbyists.

You also advise us that all three employees of the professional corporation, including yourself, are salaried employees, and your salaries are not tied specifically to payments made by lobbying clients to the firm. You are the only one of the three registered lobbyists who is a stockholder in the firm, and because of your particular firm's structure, your income out of the firm is affected by increased expenditures such as hiring the associates, purchasing new equipment, and even revenues of other lawyers not involved in lobbying.

Questions

1. Does your law firm constitute a "lobbying group or firm?"
2. What are the current registration fees for you and your two associates who do register as lobbyists?

Opinion

K.S.A. 46-265(b) states:

On or after October 1, in any year any person may register as a lobbyist under this section for the succeeding calendar year. Such registration shall expire annually on December 31, of the year for which the lobbyist is registered. In any calendar year, before engaging in lobbying, persons to whom this section applies shall register or renew their registration as provided in this section. Except for employees of lobbying groups or firms, every person registering or renewing registration who anticipates spending \$1,000 or less for lobbying in such registration year on behalf of any one employer shall pay to the secretary of state a fee of \$30 for lobbying for each such employer. Except for employees of lobbying groups or firms, every person registering or renewing registration who anticipates spending more than \$1,000 for lobbying in such registration year on behalf of any one employer shall pay to the secretary of state a fee of \$250 for lobbying for each such employer. Any lobbyist who at the time of initial registration anticipated spending less than \$1,000, on behalf of any one employer, but at a later date spends in excess of such amount, shall within three days of the date when expenditures exceed such amount, file an amended registration form which shall be accompanied by an additional fee of \$220 for such year. Every person registering or renewing registration as a lobbyist who is an employee of a lobbying group or firm and not an owner or partner of such entity shall pay an annual fee of \$300. The secretary of state shall remit all moneys received under this section to the state treasurer, and the state treasurer shall deposit the same in the state treasury to the credit of the Kansas commission on governmental standards and conduct fee fund.

The phrase, "lobbying group or firm" is not defined in the act or used elsewhere in it. Without legislative guidance, we will give the phrase a common meaning interpretation.

To that end, it is our opinion that a "lobbying group or firm" is any group or firm which contracts with others to provide lobbying services as distinguished from an in-house lobbyist or an individual representing the individual's own interests.

Applying this definition to your situation, it is our opinion that your firm constitutes a "lobbying group or firm" for the purposes of this section.

We turn then to the question of the fee requirement when an entity constitutes a "lobbying group or firm."

The language which triggers the payment of fees falls into two categories depending upon the status of the individual lobbyist. These categories are:

1. except for employees of lobbying groups or firms (one fee schedule applies); and
2. an employee of a lobbying group or firm and not an owner or partner of such entity (another fee schedule applies).

The sensible interpretation of this language in the corporate setting is that the phrase, "except for employees of lobbying groups or firms" does not exclude owners. Thus, you would pay a fee based on the amount you spend for each client, and each employee of your firm would pay a flat \$300 fee.

Advisory Opinion No. 94-34

Written November 29, 1994, to Carol L. Macdonald, Administrative Secretary, Board of Dental Examiners, Topeka.

This opinion is in response to your letter of October 16, 1994, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interests law (K.S.A. 46-215 *et seq.*).

Factual Situation

We understand you request this opinion in your capacity as administrative secretary for the Kansas Dental Board. You advise us that the Kansas Dental Board has designated by statute the Central Regional Dental Testing Service as its approved source for the clinical dental and dental hygiene examination. Testing teams consist of dentists and dental hygienists appointed by the states which approve this service; Kansas, Missouri, Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and Wyoming.

Currently, three Kansas Dental Board members are serving as examiners. The board has been asked to appoint two more persons to serve as dental examiners. The Kansas board has suggested James Sweeney, D.D.S., as one of the examiners. He is a state employee serving the Dental Board as an inspector/investigator 24 hours per week. He is employed as an instructor at the University of Missouri at Kansas City Dental School on Monday and Tuesday of each week.

Question

May a part-time employee of the Kansas Dental Board who inspects and investigates dentists and dental hygienists be appointed by the board to an independent organization which conducts licensure examinations?

Opinion

We have reviewed K.S.A. 46-215 *et seq.* in its entirety. We found nothing in the act which prohibits the situation you describe.

Advisory Opinion No. 94-35

Written November 29, 1994, to Frank Cain, Special Investigator I, Board of Emergency Medical Services, Topeka.

This opinion is in response to your letter of October 26, 1994, in which you request an opinion from the Kan-

sas Commission on Governmental Standards and Conduct concerning the state conflict of interests law (K.S.A. 46-215 *et seq.*).

Factual Statement

We understand you request this opinion in your capacity as a special investigator for the Board of Emergency Medical Services. You indicate a desire to teach emergency medical technicians courses through community colleges during your off-duty hours.

Question

May a special investigator for the Board of Emergency Medical Services teach courses in his field of expertise during off-duty hours at community colleges?

Opinion

We have reviewed K.S.A. 46-215 *et seq.* in its entirety. We find nothing in the act which prohibits the situation you have described.

Advisory Opinion No. 94-36

Written November 29, 1994, to the Honorable Bill Wisdom, State Senator, Kansas City.

This opinion is in response to your letter of November 8, 1994, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*).

Factual Statement

We understand you request this opinion in your capacity as a state senator. You advise us that you have received a solicitation letter from a county central committee. You advise us that you are not running for election this year.

Question

May you use your campaign funds to make a contribution to a county central committee at a time when you are not actively seeking election?

Opinion

In Opinion No. 92-24, the commission discussed the issue of a candidate contributing campaign funds to a party committee. There we said:

... candidates may use campaign funds for expenditures to party committees as a "legitimate campaign purpose" when: (1) The candidate purchases an identifiable campaign service for his or her own campaign, and; (2) The amount is reasonable in relation to the service received.

Applying this language to your situation, since you are not currently involved in a campaign, the donation would not meet the definition of a "legitimate campaign purpose" as described above. Thus, you may not use campaign funds for the contribution that was requested; you are limited to using your individual funds.

Richard C. Loux
Chairman

Doc. No. 015702

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS, 66160-7162, until 2 p.m. on the date indicated, and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Thursday, December 29, 1994

725208

Stretchers

Barbara Lockhart
Purchasing Director

Doc. No. 015715

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 56,745 cubic yard detention dam and a 22,000 cubic yard detention dam, Site 118 and Site 119 in Chase County, will be received by the Diamond Creek Watershed Joint District No. 61 at Schmidt Engineering Consultants, Inc., 815 Graham St., Suite 1C, Emporia 66801, until 11 a.m. January 5. Bids will be opened at 2 p.m. January 5 at the American Legion Building, Burdick (no phone available). A copy of the invitation for bids and plans and specifications can be reviewed at or obtained from Michael L. Schmidt at the office of Schmidt Engineering Consultants, Inc., (316) 343-0023, or reviewed at the Natural Resource Conservation Service field offices in Cottonwood Falls and Council Grove.

Kenneth F. Kern
Executive Director

Doc. No. 015720

State of Kansas

Department of Administration

Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

Tuesday, December 27, 1994

30858

Kansas Highway Patrol—Brake pads and rotors

30868

University of Kansas Medical Center and various other state hospitals—Red, printed plastic bags for transporting infectious waste materials

00478

Emporia State University—IBM CPU memory upgrade (32 MB to 64 MB)

Wednesday, December 28, 1994

A-7563 Rebid

Wichita State University—McKnight Art Center, skylight replacement

A-7622

University of Kansas—Air condition sixth floor catering kitchen, Kansas Union

30855

Department of Wildlife and Parks—Geotextile filter fabric, Cheney State Park

30857

Department of Corrections—Alkyd resin for traffic paint

30861

Statewide—Automotive filters

30866

Department of Commerce and Housing—Printing of KANSAS! Magazine and various other items

30869

Statewide—February (1995) meat products

30870

University of Kansas Medical Center—February (1995) meat products

00490

Department of Transportation—Plain paper copier

Thursday, December 29, 1994

30041 Rebid

Kansas Neurological Institute—Disposable incontinent briefs

30863

Statewide—Asbestos abatement supplies and respirator filters

30865

Department of Transportation—Printing services

30871

University of Kansas—Frozen juice and shelf stable tea and hot chocolate concentrate/dispensers

00500

Kansas Bureau of Investigation—Fume hood and work surface

00501

Department of Health and Environment—Atomic absorption spectrophotometer

00502

University of Kansas—UV/visible spectrometer

00503

Kansas State University—Automated biologic system

00504

University of Kansas—1.0 GB hard drive and 17" color monitor

00505

University of Kansas Medical Center—Methadone HCL powder

00513

Kansas State University—Variable speed drive

00514

Kansas State University—Dot matrix printers, high volume

00522

University of Kansas—Paper and printing: Fishes in Kansas

Friday, December 30, 1994

A-7426

Topeka State Hospital—Replace existing parking lots 30862

Statewide—Office furniture

00519

Department of Wildlife and Parks—Rip rap aggregate (Clark County)

00520

Department of Transportation—Aggregate (Wabaunsee County)

00531

Department of Administration, Division of Facilities Management—Aircraft repair

Tuesday, January 3, 1995

A-7301

University of Kansas—Lightning protection improvements, various buildings

Wednesday, January 4, 1995

A-7428

Topeka State Hospital—Reroof Karl Menninger Education and Activity Center

30867

Kansas Neurological Institute—Pest control, Topeka

Thursday, January 5, 1995

A-7601

University of Kansas Medical Center—Wesco utility expansion

Friday, January 6, 1996

A-7425

Topeka State Hospital—Overhaul/replace A/C compressors and replace A/C unit, Biddle Building

Tuesday, January 10, 1995

A-6852(a)

University of Kansas—Renovation of reactor room, Burt Hall

A-7466

Department of Wildlife and Parks—Campground building, Cheney State Park

Request for Proposals

Thursday, January 12, 1995

30854

Systems development (AWISP Project) for the Department of Social and Rehabilitation Services

Jack R. Shipman
Director of Purchases

Doc. No. 015722

State of Kansas

Pooled Money Investment Board

Notice of Meeting

The Pooled Money Investment Board will meet at 1:30 p.m. Wednesday, December 21, in the State Treasurer's Office, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson
Chairman

Doc. No. 015706

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted from 9 to 10 a.m. Sunday, January 22, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Board of Pharmacy.

This 30-day notice of the public hearing shall constitute a comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Tom Hitchcock, Executive Secretary, Board of Pharmacy, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows.

K.A.R. 68-1-1a. Application for registrations or permits; form and contents; filing; acceptance; withdrawal; board action. This regulation is proposed to state definitely that any registration or permit not renewed before 30 days after the expiration date of the registration or permit shall lapse and become null and void on the date of its expiration. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants, or the general public, but would require payment of a late renewal fee by licensees and registrants whose renewal applications are received 30 days after the expiration of the license or registration.

K.A.R. 68-1-1f. Foreign graduates. This regulation is proposed to include evidence of graduation from a foreign school or college and successfully passing an equivalent examination recognized or administered by the

(continued)

board as a requirement of K.A.R. 68-1-1e. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants or the general public.

K.A.R. 68-2-12a. Minimum requirements. This regulation is proposed to delete the United States pharmacopoeia/national formulary as one of the requirements for the pharmacy library. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants or the general public. The pharmacy and governmental pharmacy registrants would save the money previously expended for the purchase of additional library equipment.

K.A.R. 68-2-20. Pharmacist's function in filling a prescription. This regulation is proposed to set out the steps that shall be performed by a licensed pharmacist when filling a prescription, extending the one year refill limitation for non-controlled substance prescriptions if the prescriber specifically orders the prescription in writing or by a documented phone call and acknowledges that the continued refill would not present a medical risk to the patient. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, or registrants, but will assist the general public in obtaining non-controlled substance maintenance prescriptions and save the expense of follow-up visits to the practitioner's office for additional prescriptions.

K.A.R. 68-7-12a. Nonresident pharmacies. This regulation is proposed to allow an exemption for nonresident pharmacies that confine dispensing activity to isolated transactions, and requires that the nonresident pharmacy provide a toll free telephone number to be answered by an individual to facilitate personal communication, and not answered by an answering machine. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants or the general public, but will assist persons visiting in Kansas from another state that the nonresident pharmacy is registered to ship into and citizens of Kansas that obtain prescription drugs from a nonresident pharmacy on a one-time or limited basis; and personal communication with an individual to facilitate personal communication with a pharmacist to ensure the health, safety and welfare of persons in Kansas.

K.A.R. 68-7-14. Prescription labels. This regulation is proposed to allow the name of the physician assistant (PA) or advanced registered nurse practitioner (ARNP) on the prescription label and the name of the responsible practitioner which the PA or ARNP are under protocol. The amendments are not mandated by federal law as a requirement for participating in or implementing a fed-

erally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants or the general public.

K.A.R. 68-14-1. Wholesale distributors. This regulation is proposed to change the definition from the distribution of human prescription drugs to the distribution of prescription drugs. The amendment is not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on the board, other governmental agencies, registrants or the general public.

K.A.R. 68-20-15a. Security requirements. This regulation is proposed to adopt by reference title 21 of the code of federal regulations, parts 1301.71, 1301.72, 1301.73, 1301.75, and 1301.76 regarding requirements for pharmacy security; and all DEA registration numbers are for official activity relating to controlled substances and that the number cannot be used or supplied as an identification number to insurance companies, claims processors or others for any reason inconsistent with the number's intended purpose. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on other governmental agencies or the general public.

K.A.R. 68-20-18. Information concerning prescriptions. This regulation is proposed to strike the language "laws relating to controlled substances" and identifies the Controlled Substances Act, K.S.A. 41-01 et seq., as the controlling law for violations regarding controlled substances prescriptions; and sets out the requirements by which a prescription shall be issued by facsimile. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on other governmental agencies or the general public.

K.A.R. 68-20-19. Controlled substances listed in schedule II. This regulation is proposed to extend the filling of prescriptions for schedule II controlled substances from seven days to six months of the original date of the written prescription; sets out requirements for partial filling of a prescription; and requires the pharmacy's telephone number be listed on the prescription label. The amendments are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. There is no anticipated economic impact on other governmental agencies or the general public, but extending the time to fill a prescription to six months will assist persons in the general public that are unable to fill prescriptions within the current seven days and avoids the delay and expense of contacting the practitioner for another prescription.

Copies of the regulations and their economic impact statements may be obtained from the State Board of Pharmacy, at the address given above, (913) 296-4056.

Tom C. Hitchcock
Executive Secretary

Doc. No. 015704

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-94-74

Name and Address of Applicant	Waterway	Type of Discharge
Unified School District No. 362	Marais des Cygnes River via Elm	Secondary wastewater
Prairie View School Route 2 LaCygne, KS 66040	Creek via unnamed tributary	treatment facility
Linn County, Kansas		
Kansas Permit No. M-MC18-0002	Fed. Permit No. KS-0119971	

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Building 283, Forbes Field, Topeka 66620. All comments postmarked or received on or before January 14 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-94-74) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday

through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. Q15717

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. January 10 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3146. Anyone needing special accommodations shall give notice to the commission 10 days prior to the scheduled hearing date.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for January 10, 1995

Application for Certificate of Convenience
and Necessity:

Bradley M. Befort) Docket No. 191,432 M
1684 Smoky Hill River Road)
Hays, KS 67601) MC ID No. 151137

Applicant's Attorney: None

Grain, hay, cattle,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Case Trucking, Inc.) Docket No. 191,562 M
438 Lincoln)
Clay Center, KS 67432) MC ID No. 151297

Applicant's Attorney: William Barker, 3401 Harrison,
Topeka, KS 66611

*General commodities (except household goods and
hazardous materials),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Floyd O. Davis, dba) Docket No. 191,440 M
F.D. Express)
7024 Coyote Drive)
Shields, KS 67874) MC ID No. 151145

Applicant's Attorney: Clyde Christey, Southwest Plaza
Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

*Livestock, hay, grain, feed, feed ingredients, seeds, fertilizer,
salt, building and construction materials, fencing
materials and machinery (restricted to transport no
hazardous commodities),*

Between all points and places in the state of Kansas.

(continued)

Application for Certificate of Convenience and Necessity:

Larry Dibble, dba) Docket No. 191,430 M
 Larry Dibble Trucking)
 707 S. 275th Ave.)
 Alton, KS 67623-9215) MC ID No. 151135
 Applicant's Attorney: William Barker, 3401 Harrison,
 Topeka, KS 66611

*General commodities (except hazardous materials
 and household goods),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Five Star Service, Inc., dba) Docket No. 191,439 M
 Five Star Amoco)
 1300 Vine St.)
 Hays, KS 67601) MC ID No. 151144

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles,

Between all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Brian Hemphill, dba) Docket No. 174,661 M
 Hemphill Farms)
 1936 8th St.)
 Clay Center, KS 67432-1845) MC ID No. 139901

TO:

Hemphill Farms, Inc.

1936 8th St.

Clay Center, KS 67432-1845

Applicant's Attorney: John Bosch, 535 Court Street, Clay
 Center, KS 67432

*Grain, hay, feed and feed ingredients, fertilizer and
 fertilizer ingredients (except ammonium nitrate and
 anhydrous ammonia),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

E. Charles Holcomb, dba) Docket No. 191,436 M
 Holcomb Farms)
 Box 91)
 Cunningham, KS 67035-9440) MC ID No. 151141

Applicant's Attorney: None

Agricultural commodities,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

L & A Trucking, Inc.) Docket No. 191,434 M
 506 Vine St.)
 Hays, KS 67601) MC ID No. 151139

Applicant's Attorney: William Barker, 3401 Harrison,
 Topeka, KS 66611

*General commodities (except hazardous materials,
 commodities in bulk and household goods),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Markel, Inc.) Docket No. 191,435 M
 105 Birch)
 Cimarron, KS 67835) MC ID No. 151140

Applicant's Attorney: William Barker, 3401 Harrison,
 Topeka, KS 66611

*General commodities (except hazardous materials
 and household goods),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Bill Nelson, dba) Docket No. 191,529 M
 Mule Barn Express)
 P.O. Box 174)
 Eddyville, NE 68834) MC ID No. 151264

Applicant's Attorney: None

Grain, alfalfa pellets, meal, fertilizer,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

RCR Trucking, Inc.) Docket No. 191,431 M
 736 S. College)
 Ulysses, KS 67880) MC ID No. 151136

Applicant's Attorney: William Barker, 3401 Harrison,
 Topeka, KS 66611

*General commodities (except hazardous materials
 and household goods),*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Alan Rupp, dba) Docket No. 191,433 M
 Rupp Trucking)
 725 S. Court Ave.)
 Colby, KS 67701) MC ID No. 151138

Applicant's Attorney: None

Grain, bulk commodities,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Salina Wrecker Service, Inc.) Docket No. 191,437 M
 850 E. North St.)
 Salina, KS 67401) MC ID No. 151142

Applicant's Attorney: Clyde Christey, Southwest Plaza
 Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, recreational trailers, golf carts, campers, pickup toppers, boats and motorcycles,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

T & B, Inc.) Docket No. 191,049 M
35201 W. 23rd South)
Cheney, KS 67025) MC ID No. 151067

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

Livestock, hay, grain, feed, feed ingredients, seeds, fertilizer, salt, building and construction materials, fencing materials and machinery, oil field equipment, materials, supplies and machinery (restricted to transport no hazardous materials),

Between all points and places in the state of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

T Bone Trucking, Inc.) Docket No. 159,431 M
N. Main St.)
Ingalls, KS 67853) MC ID No. 106345

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

General commodities (except hazardous materials and household goods),

Between all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Albert and Don Thurston,) Docket No. 159,431 M
dba)
Thurston Brothers)
North Main St.) MC ID No. 106345
Ingalls, KS 67853
TO:

T Bone Trucking, Inc.
North Main St.
Ingalls, KS 67853

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, dry feed, dry feed ingredients, dry fertilizer, and dry fertilizer ingredients,

Between all points in Greeley, Wichita, Scott, Lane, Ness, Rush, Hamilton, Kearny, Finney, Hodgeman, Pawnee, Edwards, Stanton, Grant, Haskell, Gray, Ford, Kiowa, Morton, Stevens, Seward, Meade, Clark and Comanche counties, Kansas.

Also,

Between all points in the above described territory, on the one hand, and on the other, all points in the state of Kansas.

Salt,

Between all points in Ellsworth, Rice and Reno counties, Kansas.

Also,

Between all points in the above described territory, on the one hand, and on the other, all points in the state of Kansas.

Application for Abandonment of Contract Carrier Permit:

Albert and Don Thurston,) Docket No. 135,601 M
dba)

Thurston Brothers)

North Main St.)

Ingalls, KS 67853

MC ID No. 106345

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Application for Certificate of Convenience and Necessity:

Versatile Transportation) Docket No. 191,438 M
Services, Inc.)
8529 Rosehill Road)
Lenexa, KS 66215) MC ID No. 151143

Applicant's Attorney: None

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

James P. Yunghans, dba) Docket No. 185,284 M
James P. Yunghans Trucking)
103 S. 5th)
Seneca, KS 66538) MC ID No. 147181

Applicant's Attorney: None

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

Don Carlile
Administrator
Transportation Division

Doc. No. 015719

State of Kansas

State Corporation Commission

Public Notice

The State Corporation Commission has adopted a new schedule of charges for copy service. Adoption of the new rates follows a detailed and comprehensive analysis of commission cost recovery programs conducted by David M. Griffith & Associates (a firm under contract with the state of Kansas for the provision of such services). The rates have been reviewed by and have received the approval of the state's Division of Accounts and Reports. The new rates will go into effect January 1. Several existing and outdated rates will increase significantly. Additionally, some copy service once offered at no cost will now be subject to a charge. The commission, however, will continue to provide certified copies of all orders and tariffs free of charge. Additional information regarding the new rates can be obtained by calling (913) 271-3262.

Judith McConnell
Executive Director

Doc. No. 015714

State of Kansas

Department of Health
and Environment

Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, December 27, at the Kansas Historical Society Auditorium, 120 W. 10th, Topeka. The meeting is open to the public. Telephone hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; and the Pittsburg Office of Surface Mining. Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Mary Ann Cummings at (913) 296-0461. The agenda includes:

- Secretary's announcements.
- Report from Division of Health.
- Report from Division of Environment.
- Department budget
- Rules and regulations:

Adoption:

- Financial assurance criteria for municipal solid waste landfills:
K.A.R. 28-29-98 (Amended)
- Standards for solid waste transfer stations:
K.A.R. 28-29-23a (New)

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015718

State of Kansas

The Kansas Lottery

Temporary Administrative
Regulations

Article 4.—INDIVIDUAL GAME RULES

111-4-640. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's (single prize)	161,000	\$ 161,000
3 - \$2's (single prize)	28,000	56,000
3 - \$1's (double prize)	56,000	112,000
3 - \$1's (double doubler)	21,000	84,000
3 - \$5's (single prize)	35,000	175,000
3 - \$5's (double prize)	21,000	210,000
3 - \$5's (double doubler)	14,000	280,000
3 - \$20's (double prize)	1,050	42,000
3 - \$40's (single prize)	1,050	42,000
3 - \$20's (double doubler)	105	8,400
3 - \$2,500's (single prize)	2	5,000
3 - \$2,500's (double prize)	2	10,000
3 - \$5,000's (double prize)	2	20,000
3 - \$2,500's (double doubler)	1	10,000
	<u>338,212</u>	<u>\$1,215,400</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) and (f); implementing K.S.A. 74-8710(b), (c) and (f); and 74-8720; effective, T-111-11-8-94, Oct. 20, 1994; amended, T-111-11-23-94, Nov. 18, 1994.)

111-4-652. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant game prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	140,000	\$ 0
\$1	105,000	105,000
\$2	14,000	28,000
\$2 (\$1 + \$1)	21,000	42,000
\$2 (\$1 Dbl)	84,000	168,000
\$3 (\$1 + \$1 + \$1)	21,000	63,000
\$4	3,500	14,000
\$4 (\$2 + \$2)	10,500	42,000
\$4 (\$1 + \$1 + \$1 Dbl)	28,000	112,000
\$10	7,000	70,000
\$10 (\$4 + \$4 + \$1 Dbl)	10,500	105,000
\$15	7,000	105,000
\$15 (\$10 + \$1 + \$2 Dbl)	10,500	157,500
\$30	700	21,000
\$30 (\$15 Dbl)	1,050	31,500
\$30 (\$10 + \$10 + \$10)	1,750	52,500
\$100	70	7,000
\$2,100	6	12,600
	<u>465,576</u>	<u>\$1,136,100</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this

event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) and (f); implementing K.S.A. 74-8710(b), (c) and (f); and 74-8720; effective, T-111-11-8-94, Oct. 20, 1994; amended, T-111-11-23-94, Nov. 18, 1994.)

RULES FOR INSTANT GAME NO. 89 "DOUBLE DOLLARS"

111-4-653. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Double Dollars" commencing on or after December 14, 1994. The specific rules for the "Double Dollars" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-653 through 111-4-656. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-654. Definitions The following definitions shall apply to the "Double Dollars" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$5.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - \$2500 - \$5000 - \$\$.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1. ⁰⁰	ONE\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
\$2500	25-HUN
\$5000	FIVETHOU
\$	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify

and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-655. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) of six (6) game which includes a doubler. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. If two (2) of the six (6) concealed prize amounts match and a doubler symbol is found, the player wins double the prize amount. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3 - \$ 1.00	One Dollar
2 - \$ 1.00 + Doubler	Two Dollars
3 - \$ 5.00	Five Dollars
2 - \$ 5.00 + Doubler	Ten Dollars
3 - \$ 10.00	Ten Dollars
3 - \$ 20.00	Twenty Dollars
3 - \$ 20.00 + Doubler	Forty Dollars
3 - \$ 2500.00	Two Thousand Five Hundred Dollars
3 - \$ 2500.00 + Doubler	Five Thousand Dollars
3 - \$5000.000	Five Thousand Dollars

(Authorized by K.S.A. 74-8710(b), (c) and (i); implementing K.S.A. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-656. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$3 - \$1's	182,000	\$ 182,000
\$2 \$1's (*)	119,000	238,000
\$3 - \$5's	70,000	350,000
2 - \$5's (*)	14,000	140,000
3 - \$10's	7,000	70,000
3 - \$20's	7,000	140,000
2 - \$20's (*)	1,575	63,000
3 - \$2,500's	3	7,500
2 - \$2,500's (*)	2	10,000
3 - \$5,000's	3	15,000
	400,583	\$1,215,500

(*) denotes doubler

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) and (f); implementing K.S.A. 74-8710(b), (c) and (f); and 74-8720; effective, T-111-11-23-94, Nov. 18, 1994.)

(continued)

RULES FOR INSTANT GAME NO. 90 "OPPORTUNITY KNOCKS"

111-4-657. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Opportunity Knocks" commencing on or after December 14, 1994. The specific rules for the "Opportunity Knocks" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-657 through 111-4-660. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-658. Definitions. The following definitions shall apply to the "Opportunity Knocks" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching symbols in WGI Cap font. A game symbol appears in the "WINNING DOOR" area and in the "YOUR DOOR NUMBERS" area within the play area. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$5.⁰⁰ - 10.⁰⁰ - 50.⁰⁰ - \$100\$ and \$500\$ and 1 - 2 - 3 - 4 - 5 - 7 - 8 - 9.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1. ⁰⁰	ONES
\$5. ⁰⁰	FIVES
10. ⁰⁰	TENS
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
07	SEV
08	EGT
09	NIN

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears under the latex covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the front of each instant game ticket below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a

three letter code printed and appearing in three of five varying locations among the game symbols in the play area. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.

(f) "Bar code" means the 16-digit bar coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-659. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play areas entitled "WINNING DOOR" AND "YOUR DOOR NUMBERS," to reveal the game symbols and captions in the play area. If any of the five numbers under the "YOUR DOOR NUMBERS" area matches the number in the "WINNING DOOR" area, the player wins the amount shown directly below the matching number or numbers in the "YOUR DOOR NUMBERS" area. A player can win up to three times on a single ticket. (Authorized by K.S.A. 74-8710(b), (c) and (i); implementing K.S.A. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-660. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	161,000	\$ 161,000
\$2(\$1 × 2)	91,000	182,000
\$3(\$1 × 3)	56,000	168,000
\$5	42,000	210,000
\$10	7,000	70,000
\$10(\$5 × 2)	7,000	70,000
\$15(\$5 × 3)	7,000	105,000
\$20(\$10 × 2)	7,000	140,000
\$50	1,750	87,500
\$100	42	4,200
\$100(\$50 × 2)	42	4,200
\$500	28	14,000
	379,862	\$1,215,900

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) and (f); implementing K.S.A. 74-8710(b), (c) and (f); and 74-8720; effective, T-111-11-23-94, Nov. 18, 1994.)

RULES FOR INSTANT GAME NO. 91 "HIGH CARD"

111-4-661. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled "HIGH CARD" commencing on or after December 14, 1994. The specific rules for the "HIGH CARD" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-661 through 111-4-664. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-662. Definitions. The following definitions shall apply to the "HIGH CARD" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of eight play spots within the play area. Each game symbol for this instant game is one of the following: 2 - 3 - 4 - 5 - 7 - 8 - 9 - 10 - J - Q - K - A.

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
2	TWO
3	THR
4	FOR
5	FIV
7	SEV
8	EGT
9	NINE
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TRY = \$30.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-663. Determination of instant prize winners. An instant prize winner is determined in this "beat the dealer" instant game when the player "scratches off" the removable layer of material covering the play area

to reveal the three separate games, each containing a "YOUR CARD" area, a "DEALERS CARD" area, and a "PRIZE" area for each game, plus a "BONUS HAND," containing a "YOUR CARD" and a "DEALERS CARD," but not a "PRIZE" area. A solid line is imaged between "Game 1" and Game 2," between "Game 2" and Game 3," and between "Game 3" and the "BONUS HAND." "Cards" in one "Game 1," "Game 2," and "Game 3" relate to each specific game only and not to either of the other two games. A player can win up to three times on a single ticket. If "YOUR CARD" (player's card) is higher than the "DEALERS CARD" in a single game, the player wins the dollar amount shown in the prize area for that game, however, if "YOUR CARD" is higher than the "DEALERS CARD" in the "BONUS HAND," the player wins the total prize amount for all three games. "ACE" (A) is the highest card, followed in descending order by "King" (K), "Queen" (Q), "Jack" (J), "10," "9," "8," "7," "5," "4," "3," and "2." (Authorized by K.S.A. 74-8710(b), (c) and (i); implementing K.S.A. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-11-23-94, Nov. 18, 1994.)

111-4-664. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	161,000	\$ 161,000
\$2(\$1 + \$1)	105,000	210,000
\$3(\$1 + \$1 + \$1)	28,000	84,000
\$3(\$1 + \$1 + \$1 "BH")	28,000	84,000
\$5	28,000	140,000
\$10	7,000	70,000
\$10(\$5 + \$5)	14,000	140,000
\$15(\$5 + \$5 + \$5)	7,000	105,000
\$15(\$5 + \$5 + \$5 "BH")	7,000	105,000
\$30	350	10,500
\$30(\$10 + \$10 + \$10)	1,400	42,000
\$30(\$10 + \$10 + \$10 "BH")	1,400	42,000
\$100	49	4,900
\$2,500	5	12,500
	<u>388,204</u>	<u>\$1,210,900</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) and (f); implementing K.S.A. 74-8710(b), (c) and (f); and 74-8720; effective, T-111-11-23-94, Nov. 18, 1994.)

Gregory P. Ziemak
Executive Director

Doc. No. 015701

State of Kansas

Department of Wildlife
and ParksPermanent Administrative
Regulations

Article 1.—GENERAL PROVISIONS

33-1-18. (Authorized by K.S.A. 1979 Supp. 74-4510; effective Jan. 1, 1966; amended May 1, 1980; revoked Jan. 30, 1995.)

33-1-20. (Authorized by and implementing K.S.A. 1984 Supp. 74-4510; effective May 1, 1986; revoked Jan. 30, 1995.)

Article 4.—BIG GAME

115-4-13. Deer permits; descriptions and restrictions. Except as otherwise specified or further restricted by law or regulation, the following deer permit descriptions, provisions and restrictions shall be in effect.

(a) Primary deer permits.

(1) Statewide archery deer permit. This permit shall be valid for the statewide hunting of deer during the established archery deer season using equipment that is legal during the archery deer season.

(2) Firearm deer permit. This permit shall be valid for the hunting of deer during the established firearms deer season within a prescribed management unit using equipment that is legal during the firearms deer season.

(3) Muzzleloader deer permit. This permit shall be valid for the hunting of deer during the established muzzleloader and firearms deer seasons within a prescribed management unit using muzzleloader equipment that is legal during the muzzleloader or firearms deer season.

(4) Hunt-on-your-own-land (HOYL) deer permit. This permit shall be available to resident individuals who qualify as landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader, archery and firearms deer seasons using equipment that is legal during the established season. It shall be valid only on lands owned or operated by the landowner or tenant.

(5) Special hunt-on-your-own-land (SHOYL) deer permit. This permit is available to resident individuals who qualify as landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader, archery and firearms deer seasons using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the landowner or tenant. This permit shall be transferable to family members who are lineal ascendants or descendants of the landowner or of the tenant. Such family members shall include the spouses of lineal ascendants or descendants of the landowner or of the tenant.

(b) Nonresident deer permits.

(1) Nonresident archery deer permit. This permit shall be valid for the hunting of deer during the established archery deer season within a prescribed management unit using equipment that is legal during the archery deer season.

(2) Nonresident firearm deer permit. This permit shall be valid for the hunting of deer during the established firearms deer season within a prescribed management unit using equipment that is legal during the firearms deer season.

(3) Nonresident muzzleloader deer permit. This permit shall be valid for the hunting of deer during the established muzzleloader and firearms deer seasons within a prescribed management unit using muzzleloader equipment that is legal during the muzzleloader or firearms deer season.

(4) Nonresident hunt-on-your-own-land (NHOYL) deer permit. This permit shall be available to nonresident individuals who qualify as Kansas landowners. This permit shall be valid during the muzzleloader, archery and firearms deer seasons using equipment that is legal during the established season. This permit shall be valid only on lands owned by the nonresident landowner.

(c) Secondary deer permits.

(1) Unit archery deer permit. This permit shall be valid for the hunting of deer during the established archery deer season within a prescribed management unit using equipment that is legal during the archery deer season.

(2) Left-over firearm deer permit. Left-over firearm deer permits are those firearm permits which remain unissued after the first drawing process is completed. This permit shall be valid for the hunting of deer within a prescribed management unit during the firearms deer seasons using equipment that is legal during the established season.

(3) Left-over muzzleloader deer permit. Left-over muzzleloader deer permits are those muzzleloader permits which remain unissued after the first drawing process is completed. This permit shall be valid for the hunting of deer within a prescribed management unit during the muzzleloader and firearms deer seasons using muzzleloader equipment that is legal during the established season.

(4) Bonus deer permit. This permit shall be valid for the hunting of deer within a prescribed management unit during the archery and firearms deer seasons using equipment that is legal during the established season.

(d) Special deer season permit. This permit retains distinctions as specified in subsections (a), (b) and (c) of this regulation and shall be valid within a prescribed management unit during a special deer season.

(e) Legal equipment shall be as established under K.A.R. 115-4-5. (Authorized by K.S.A. 32-807 and K.S.A. 32-937 as amended by L. 1994, Chapter 245, sec. 1; implementing K.S.A. 32-807, K.S.A. 32-937 as amended by L. 1994, Chapter 245, sec. 1 and K.S.A. 32-1002; effective Jan. 30, 1995.)

Article 8.—DEPARTMENT LANDS AND WATERS

115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties. (a) The conduct, actions, or activities of persons on department lands and waters shall be subject to provisions and restrictions as established by posted notice. The following general provisions and restrictions shall apply.

(1) No person shall advertise, engage in or solicit any business, or make a charge for any event or service except as authorized by the department.

(2) Quiet hours shall be observed between the hours of 11:00 p.m. and 6:00 a.m. Except as authorized by the department, actions which will alarm, anger or disturb others shall be prohibited during quiet hours. Individuals with knowledge or probable cause to believe that their actions will alarm, anger or disturb others or who engage in noisy conduct during quiet hours may be subject to the provisions of subsection (b) of this regulation.

(3) Subject to the provisions of K.A.R. 115-8-21 and other posted provisions or restrictions, individuals may possess, consume or drink cereal malt beverages with no more than 3.2% alcohol by weight, as defined in K.S.A. 41-2701 and amendments thereto.

(4) The consumption or possession of alcoholic liquor as defined in K.S.A. 41-102 and amendments thereto, shall be prohibited.

(b) In addition to penalties prescribed by law or rule and regulation, failure to comply with laws, rules and regulations, permit conditions or posted restrictions by an individual may result in such individual or equipment of the individual being removed from departmental lands or waters. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Jan. 30, 1995.)

Article 18.—SPECIAL PERMITS

115-18-8. Retrieval and possession of game animals and migratory game birds; requirements. (a) Each individual wounding or killing a game animal or a migratory game bird shall make a reasonable effort to retrieve the wounded or dead game animal or migratory game bird. The retrieved game animal or migratory game bird shall be included in the individual's bag or possession limit.

(b) Any game animal or migratory game bird retrieved shall be retained until:

- (1) processed for consumption;
- (2) transported to the individual's residence;
- (3) transported to a place of commercial preservation;
- (4) transported to a place of commercial processing;
- (5) given to a person; or
- (6) consumed.

(c) The provisions of this regulation shall not affect any requirement of state or federal law or regulation regarding any proof of species, age or sex and the attachment of such proof to the carcass.

(d) For purpose of this regulation, migratory game bird means any duck, goose, coot, merganser, rail, mourning dove, snipe, woodcock or sandhill crane for which a hunting season has been established in this state. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective June 8, 1992; amended Jan. 30, 1995.)

115-18-12. Trout permit; requirements, restrictions and permit duration. (a) A trout permit shall be required to fish for and possess trout during such periods of time on such bodies of water as established by K.A.R. 115-25-14.

(b) Each trout permit shall be valid statewide and shall expire on December 31 of the year issued.

(c) A trout permit shall not be transferable. (Authorized by K.S.A. 32-807 implementing K.S.A. 32-807, K.S.A. 32-1001 and K.S.A. 32-1002; effective November 15, 1993; amended Jan. 30, 1995.)

Ted Ensley
Secretary of Wildlife
and Parks

Doc. No. 015698

(Published in the Kansas Register, December 15, 1994.)

(Corrected)
Notice of Redemption
City of Eskridge, Kansas
Industrial Revenue Bonds
(C.N.T., Inc.)
Series A 1981
Dated: July 1, 1981
Rate: 13.0%
Maturity Date: July 1, 2001
CUSIP Number: Unassigned

Notice is hereby given that pursuant to the provisions of the ordinance dated as of July 1, 1981, by the city of Eskridge, Kansas (which names First Manhattan Trust Company successor to First National Bank of Manhattan, as fiscal agent and paying agent), pursuant to which the above-described bonds were issued, all the outstanding bonds have been called for redemption on January 2, 1995, under Section 4(b) of the ordinance, at a redemption price of 103 percent of the principal amount thereof plus accrued interest until said redemption date.

All bonds will become due on January 2, 1995, upon presentation and surrender of such bonds with subsequent coupons attached to the paying agent at the following addresses:

Mailing Address:	Street Address:
First Manhattan Trust Company	First Manhattan Trust Company
Attention: J. Michelle Duggan	Attention: J. Michelle Duggan
P.O. Box 66	701 Poyntz Ave., Suite 100
Manhattan, KS 66502-0001	Manhattan, KS 66502

All bonds must be presented to the paying agent to collect the redemption price. Interest will cease to accrue from and after January 1, 1995.

Owners of the bonds do not have the right or option to waive this redemption of bonds.

Withholding of 31 percent of gross redemption proceeds of any payment made within the United States may be required by the Interest and Dividend Tax Compliance Act of 1983 unless the paying agent has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed W-9 or exemption certificate or equivalent when presenting your securities.

Dated December 1, 1994.

First Manhattan Trust Company
Paying Agent

Doc. No. 015650

State of Kansas

Board of Emergency Medical Services

Permanent Administrative
Regulations

Article 1.—DEFINITIONS

109-1-1. Definitions. The following words and phrases shall have the following meanings as used in these regulations.

(a) "Emergency care" means the services provided after the onset of a medical condition manifested by acute symptoms of sufficient severity that the absence of immediate medical attention could reasonably be expected to:

- (1) place the patient's health in serious jeopardy;
- (2) seriously impair bodily functions; or
- (3) result in serious dysfunction of any bodily organ or part.

(b) "Public call" means the request for first response service to the original scene of a medical emergency or accident by an individual or agency other than:

- (1) a type I or type II ambulance service;
- (2) the Kansas highway patrol at the scene of an accident or medical emergency; or
- (3) persons licensed to practice medicine and surgery who are at the scene of an accident or medical emergency.

(c) "Aeromedical physician" means a person licensed to practice medicine and surgery who is trained and experienced in emergency, trauma or sub-specialty critical care medicine and is knowledgeable in altitude physiology.

(d) "Continuing education" means a formally organized learning experience that has education as its explicit principal intent, and that is oriented towards the enhancement of emergency medical services practice, values, skills and knowledge.

(e) "Prior-approved continuing education" means:

(1) Single program material submitted by a provider to the board that is reviewed and subsequently approved by the administrator in accordance with criteria established by the board, and assigned a continuing education number;

(2) any continuing education offered by a provider with approved-provider status; or

(3) academic emergency medical services courses taken for credit or audited.

(f) "Retroactively-approved continuing education" means materials submitted for continuing education credit by the attendant after attending the workshop, conference, seminar, or other offering that is reviewed and subsequently approved by the administrator in accordance with criteria established by the board.

(g) "Providers of continuing education" means individuals, groups, professional associations, schools, institutions, organizations or agencies approved by the administrator to offer continuing education programs on either approved-provider status or single program-provider status.

(h) "Approved-provider status" means the provider has been approved by the board to provide any contin-

uing education program. Approved-provider status may be granted for a one-year probationary period to new applicants. After completion of the probationary year, approved-providers may re-apply for approval biennially.

(i) "Single program-provider status" means the provider has been granted approval to offer a specific continuing education program utilizing the national highway traffic safety administration department of transportation training objectives as in effect on June 1, 1993 for the certification level for which the training program is intended.

(j) "Training officer I" means a person who has been approved by the board as a single program provider to coordinate attendant continuing education training programs for EMS services, utilizing the national highway traffic safety administration department of transportation training objectives as in effect on June 1, 1993 for the level of certification for which the training program is intended. Training officer I approval by the board shall be contingent upon successful annual completion of a training officer program approved by the board and appointment annually by the local appointing authorities as determined by the board.

(k) "Training officer II" means a person who, in addition to having the approval as a training officer I, has been approved by the board to coordinate and instruct first responder initial courses of instruction.

(1) As used in K.S.A. 65-6133(a)(7), "unprofessional conduct" means an action subject to disciplinary conduct because it is inconsistent with standards of moral and ethical conduct established by the consensus of the expert opinion of the members of the profession of emergency medical services through professional experience, as reasonably necessary to protect the public interest. The following acts shall be evidence of unprofessional conduct:

(1) performing acts beyond the activities authorized for the level at which the individual is certified;

(2) failing to take appropriate action to safeguard the patient or student;

(3) inaccurately recording, falsifying or altering a patient's, student's, or agency's record;

(4) verbally, sexually, or physically abusing patients or students;

(5) violating the confidentiality of information or knowledge concerning the patient or student;

(6) diverting drugs, supplies or property of patients, students or the agency;

(7) violating K.S.A. 8-1566 or 8-1567 or having been convicted following a plea of guilty or no contest, of a felony or violation of a municipal ordinance which is related to the qualifications, functions, or duties of an attendant, training officer, or instructor-coordinator;

(8) providing patient care or conducting class sessions while under the influence of alcohol or other habit forming or illegal drugs;

(9) placing conditions of the granting of a benefit upon the receipt of sexual favors from a student or punishing a student for refusing to comply with such conditions; or creating a hostile environment for a student which subjects the student to unwelcome sexual advances, in-

cluding, but not limited to physical touching or verbal expressions;

(10) reproducing or duplicating the state written examinations for certification without board authority;

(11) engaging in any fraudulent or dishonest act which is related to the qualifications, functions, or duties of an attendant, training officer or instructor-coordinator; or

(12) willfully failing to adhere to the course syllabus.

(m) "Incompetence" as used in K.S.A. 65-6132 (a) (3) means the operator has demonstrated an inability to provide the level of service required for the class of permit held.

(n) "Incompetence" as used in K.S.A. 65-6133 (a) (3) means either of the following:

(1) The instructor-coordinator has violated or aided and abetted the violation of the requirements prescribed in Kansas administrative regulations; or

(2) the attendant has demonstrated an inability to perform the activities authorized for the level of certification held or an inability to provide appropriate patient care as defined per protocols as established by the local component medical society.

(o) "Incompetence" as used in K.S.A. 65-6146 (a)(3) means the first responder has demonstrated an inability to perform the activities authorized in K.S.A. 65-6144.

(p) "Type I ambulance service" means a service which provides emergency response and is staffed by mobile intensive care technicians.

(q) "Type II ambulance service" means a service which provides emergency response and is staffed by emergency medical technicians, emergency medical technicians-intermediate, or emergency medical technicians-defibrillator.

(r) "Type V ambulance service" means a service which provides advanced life support and is staffed by physicians, registered nurses or mobile intensive care technicians.

(s) "Type I-A ambulance service" means a service which provides scheduled advanced life support air transportation and is staffed by mobile intensive care technicians.

(t) "Type IV-A ambulance service" means a service which provides scheduled basic life support air transportation and is staffed by emergency medical technicians.

(u) "Instructor-coordinator" means any emergency medical technician, emergency medical technician intermediate, emergency medical technician-defibrillator, mobile intensive care technician, physician licensed to practice medicine and surgery or licensed professional nurse who, upon certifications as described by K.A.R. 109-9-1, may instruct and coordinate attendant training programs.

(v) "Categories of continuing education" means as follows.

(1) "Category I continuing education" means the objectives for the training program are to teach patient care psycho-motor skills related to emergency medical services. These objectives may be delivered in skills lab sessions or in clinical training sessions.

(2) "Category II continuing education" means the objectives for the training program are to teach non-patient

care psycho-motor skills related to emergency medical services. These objectives shall be delivered in skills lab sessions.

(3) "Category III continuing education" means the objectives for the training program are delivered in lecture format. These objectives may be medical or non-medical in nature but shall be related to emergency medical services.

(4) "Category IV continuing education" means the objectives of the program are specific to the DOT EMT-I training curricula.

(5) "Category V continuing education" means the objectives of the program are specific to the Kansas approved EMT-D training curricula.

(6) "Category VI continuing education" means the objectives of the program are appropriate for the continuing education requirements for instructor-coordinators as described in K.A.R. 109-5-1(f).

(7) "Category VII continuing education" means a correspondence course approved by the administrator.

(v) "Category VIII continuing education" means the objectives of the program are specific to the AED training curriculum approved by the board.

(w) "Administrator" means the administrator of the emergency medical services board.

(x) "Site coordinator" means a person supervising, facilitating or monitoring students, facilities, faculty or equipment at a training site. (Authorized by K.S.A. 1993 Supp. 65-6110; implementing K.S.A. 1993 Supp. 65-6110, K.S.A. 1993 Supp. 65-6111, K.S.A. 65-6132, K.S.A. 65-6133; effective May 1, 1985; amended May 1, 1986; amended, T-88-12, May 18, 1987; amended, T-88-24, July 15, 1987; amended May 1, 1988; amended July 17, 1989; amended March 16, 1992; amended Jan. 31, 1994; amended Jan. 30, 1995.)

Bob McDaneld
Administrator

Doc. No. 015710

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 4.—MOTOR CARRIERS OF PERSONS AND PROPERTY

82-4-1. Definitions. The following terms used in connection with the regulations of the state corporation commission governing motor carriers shall be considered and defined as follows:

(a) The term "motor carrier" means any corporation, partnership or individual subject to the provisions of the motor carrier law of Kansas and under the jurisdiction of the Kansas corporation commission.

(b) The term "certificate" refers to a document evidencing a certificate of convenience and necessity issued to intrastate common carriers to operate motor vehicles as common carriers.

(c) The term "permit" refers to the document evidencing authority of a motor carrier to operate motor vehicles as a contract or private carrier.

(continued)

(d) The term "license" refers to the document evidencing the registration of an interstate common or contract motor carrier or interstate exempt motor carrier to operate motor vehicles in the state of Kansas in interstate commerce.

(e) The term "tariff publication" means the rates, charges, classification, ratings, or rules and regulations published by, for or on behalf of common or contract motor carriers of property or passengers.

(f) For the purpose of these regulations, the term "entire direct case" shall include, but not be limited to, all testimony, exhibits and other documentation offered in support of the proposed rates.

(g) The term "distance" means airline distances.

(1) Distances shall be computed from the corporate limits of incorporated communities and from the post office of unincorporated communities.

(2) If there is no post office in the unincorporated community, the distance shall be computed from the center of the business district.

(h) The term "express carrier" means a common or contract carrier who carries shipments, the maximum weight of which do not exceed 350 pounds for each package or parcel.

(i) The term "commission" means the Kansas corporation commission.

(j) The term "driveaway operation" or "towaway operation" means any operation in which a motor vehicle constitutes the commodity being transported and one or more set of wheels of the vehicle being transported are on the surface of the roadway during transportation.

(k) The term "driver" means a commercial motor vehicle operator.

(l) The term "organization" means a legal entity which administers an agreement approved under K.A.R. 82-4-69.

(m) The term "single line rate" means a rate, charge, or allowance established by a single common or contract motor carrier of property or passengers that is applicable only over its line and for which the transportation can be provided by that carrier.

(n) The term "joint line rate" means a rate, charge, or allowance established by two or more common motor carriers of property or passengers that is applicable over the carriers' lines and for which the transportation can be provided by these carriers.

(o) The term "docketing" means entering the proposal in the organization files and then giving notice of the proposal to other carrier members of the organization and shipper subscribers.

(p) The terms "general increase" or "general decrease" mean a common or contract motor carrier rate increase or decrease proposed as a general adjustment of substantially all the rates published in a tariff.

(q) The term "notice" means advance notification to shipper subscribers through the organization's docket service.

(r) The term "affiliate" means a person or company controlling, controlled by, or under common control or ownership with, another person or company.

(s) The term "ownership" means an equity holding in a business entity of at least 5%.

(t) The term "industry average carrier cost information" means the average intrastate cost of the carriers who participate in an organization tariff and who have authority from the commission to transport the commodities indicated in the organization tariff.

(u) Except when used in 49 CFR Part 391 subpart H, the term "commercial motor vehicle" means:

(1) a vehicle that has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or

(2) a vehicle designed to transport more than 15 passengers, including the driver; or

(3) a vehicle designed to transport more than 6 passengers, including the driver operating in intrastate commerce with reference to 49 CFR 395 only; or

(4) a vehicle used in the transportation of hazardous materials in a quantity requiring placarding under 49 C.F.R. 172.500 through and including 172.514, effective as of October 1, 1993.

(v) The term "licensed physician" means a licensed doctor of medicine or osteopathy.

(w) The term "administrator" means the administrator of the transportation division of the commission. (Authorized by and implementing K.S.A. 66-1,112, 66-1,112a, 66-1,112g; effective Jan. 1, 1971; modified, L. 1981, Ch. 424, May 1, 1981; amended T-83-45, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1984; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995.)

82-4-3. Motor carrier safety regulations. (a) The following parts of the federal rules and regulations promulgated by the U.S. department of transportation, federal highway administration, and office of motor carriers, are hereby incorporated by reference as the rules and regulations of the commission. The incorporation by reference shall cover the parts as they exist on April 1, 1994.

(1) General: 49 CFR Part 390, except:

(A) 49 CFR 390.3(b) and (f);

(B) the following terms as they appear in 49 CFR 390.5: "motor vehicle," "person" and "private motor carrier of property"; "commercial motor vehicle," "motor carrier," and "driver"; and

(C) 49 CFR 390.11.

(2) Qualifications of drivers: 49 CFR Part 391, except sections 49 CFR 391.2(a), (b) & (c), 391.11(b)(1), 391.49, 391.67 and 391.69.

(3) Driving of motor vehicles: 49 CFR Part 392, except sections 49 CFR 392.2, 392.30, 392.31, 392.32, 392.40 and 392.41.

(4) Parts and accessories necessary for safe operation: 49 CFR Part 393, except sections 49 CFR 393.81, 393.87 and 393.95(a).

(5) Hours of service of drivers: 49 CFR Part 395, except 395.1(j).

(6) Inspection, repair and maintenance: 49 CFR Part 396.

(7) Transportation of hazardous materials; driving and parking rules: 49 CFR Part 397.

(8) Transportation of migrant workers: 49 CFR Part 398.

(9) Employee safety and health standards: 49 CFR Part 399.

(10) Minimum levels of financial responsibility for motor carriers: 49 CFR Part 387.

(11) Procedures for transportation workplace drug testing programs: 49 CFR Part 40.

(12) Rules of Practice for Motor Carrier Safety and Hazardous Materials Proceedings: 49 CFR 386.72.

(b) Whenever the incorporated federal regulations refer to portions of the federal regulations that are not included under subsection (a) of this regulation, those references shall not be applicable to this regulation.

(c) The following terms as used in this regulation and the identified sections of the regulations adopted by reference shall be defined as follows:

(1) The term "special agent of FHWA or special agent of the federal highway administration and authorized representatives of the federal highway administration," as used in 49 CFR 395.13(a), 398.8(a) and appendix B, to subchapter B means authorized representatives of the commission, and members of the Kansas highway patrol who have been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards.

(2) The term "authorized personnel," as used in 49 CFR 396.9(c), means members of the Kansas highway patrol or authorized representatives of the state corporation commission of Kansas who have been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards.

(3) The term "director, regional motor carrier safety office of the federal highway administration," as used in 49 CFR 391.51(g) and 397.19(b), means the superintendent of the Kansas highway patrol and the administrator of the transportation division of the commission.

(4) The term "regional federal highway administrator," as used in 49 CFR 391.51(b)(2), means the administrator of the transportation division of the state corporation commission of Kansas.

(d) Copies of the motor carrier safety regulations promulgated by the U.S. department of transportation may be obtained from the superintendent of documents, United States government printing office, Washington, D.C. 20402. (Authorized by and implementing K.S.A. 66-1,112, 66-1,112a, 66-1,112g and K.S.A. 66-1,129; effective Jan. 1, 1971; modified, L. 1981, ch. 424, May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995.)

82-4-6d. Waiver of physical requirements. (a) Any person failing to meet the requirements of 49 C.F.R. 391.41 as in effect on April 1, 1994, may be permitted to drive a vehicle, other than a vehicle transporting passengers, if the administrator finds that the granting of a waiver is consistent with highway safety and the public interest.

(b) The application for a waiver shall:

(1) be submitted jointly by the person seeking the waiver and by the carrier wishing to employ the person as a driver, with both parties agreeing to fulfill all conditions of the waiver;

(2) be accompanied by:

(A) reports of medical examinations, administered by a licensed physician, which are satisfactory to the administrator; and

(B) recommendations from at least two licensed physicians, at least one of whom shall be selected and compensated by the carrier. The reports and recommendations shall indicate the opinions of the licensed physicians regarding the ability of the driver to safely operate a commercial vehicle of the type to be driven;

(3) contain a description which is satisfactory to the administrator of the type, size and special equipment of the vehicle or vehicles to be driven, the general area and type of roads to be traversed, the distances and time period contemplated, the nature of the commodities to be transported and the method of loading and securing them, and the experience of the applicant in driving vehicles of the type to be driven.

(A) If the applicant motor carrier is a corporation, the application shall be signed by a corporation officer and the applicant driver.

(B) If the applicant motor carrier is a partnership, the application shall be signed by at least one of the members of the partnership and the applicant driver.

(C) If the applicant motor carrier is a sole proprietorship, the application shall be signed by the proprietor and the applicant driver; and

(4) specify that both the person and the carrier shall file periodic reports as required with the administrator. These reports shall contain complete and truthful information regarding the extent of the person's driving activity, accidents in which the person may have been involved, and all arrests, suspensions, or convictions in which the person is involved.

(c) The waiver shall not exceed two years and shall be renewable upon submission and approval of a new application.

(d) While on duty, the letter granting the waiver or a legible photographically reproduced copy of the waiver shall be in each driver's possession.

(e) The waiver may be revoked by the administrator after the applicant has been given notice of the proposed revocation and has been given a reasonable opportunity to show cause, if any, why such revocation should not be made.

(f) The letter granting the waiver under this section or a legible photographically reproduced copy shall be retained in the files of the motor carrier at its principal place of business during the period the driver is in the carrier's employment. A copy of the waiver shall be retained by the motor carrier for a period of 12 months after the termination of the driver's employment.

(g) Each motor carrier shall notify the administrator within 15 days upon any conviction or any revocation or suspension of driving privileges. (Authorized by and implementing K.S.A. 66-1,112; effective May 1, 1981; amended Sept. 16, 1991; amended May 10, 1993; amended Sept., 1994; amended Jan. 30, 1995.)

82-4-20. Transportation of hazardous materials by motor vehicles. (a) Title 49 CFR, Parts 107.103(b) and 107.105, 107.502, 171, 172, 173, 177, 178 and 180 of the

(continued)

federal hazardous materials rules and regulations promulgated by the U.S. department of transportation are incorporated by reference as the rules and regulations of the state corporation commission of the state of Kansas, except for the referenced materials listed below under section 49 CFR 171.7(a)(3), as in effect on October 1, 1993:

(1) ASTM A 242-81 Standard Specification for High-Strength Low-Alloy Structural Steel;

(2) ASTM A 370-77 Standard Methods and Definition for Mechanical Testing of Steel Products;

(3) ASTM A 441-81 Standard Specification for High-Strength Low-Alloy Structural Manganese Vanadium Steel;

(4) ASTM A 514-81 Standard Specification for High-Yield-Strength, Quenched and Tempered Alloy Steel Plate, Suitable for Welding;

(5) ASTM A 516-79b Standard Specification for Pressure Vessel Plates, Carbon Steel, for Moderate and Lower-Temperature Service;

(6) ASTM A 537-80 Standard Specification for Pressure Vessel Plates, Heat-Treated, Carbon Manganese-Silicon Steel;

(7) ASTM A 588-81 Standard Specification for High-Strength Low-Alloy Structural Steel with 50 Ksi Minimum Yield Point to 4 in. Thick;

(8) ASTM A 606-75 Standard Specification for Steel Sheet and Strip Hot-Rolled and Cold-Rolled, High-Strength, Low Alloy, with Improved Atmospheric Corrosion Resistance, 1975 (Reapproved 1981);

(9) ASTM A 633-79a Standard Specification for Normalized High-Strength Low-Alloy Structural Steel, 1979 Edition; and

(10) ASTM A 715-81 Standard Specification for Steel Sheet and Strip, Hot-Rolled, High-Strength, Low-Alloy, with improved Formability, 1981.

(b) Cargo tanks. The packing requirements of 49 CFR 173.242 and 173.243 shall apply to cargo tanks that are used by an intrastate carrier transporting a hazardous material designated as petroleum crude oil, hazard class 3, the identification number UN1267 and in Package Group I, II or III, under the hazardous material table found in 49 CFR 101.173, except when:

(1) (A) the cargo tank was in existence on July 1, 1991; and

(B) the crude oil is transported between an oil field tank battery and an oil well or during pipeline repair and replacement, clean-out procedures or emergency spill clean-up procedures; or

(2) the cargo tank is used for spills or clean-out procedures involving materials which cannot be accommodated by the loading and unloading outlet valve required in 49 CFR 173.242(b)(2) and 173.243(b)(2). In such instances, the cargo tank shall be exempt from using the loading and unloading outlet valve.

(c) Whenever the incorporated federal regulations refer to portions of the federal regulations that are not included under subsection (a), those references shall not be applicable to this regulation. (Authorized by K.S.A. 66-1,112, 66-1,112a, 66-1,112g and K.S.A. 66-1,129; implementing K.S.A. 66-1,112 and K.S.A. 66-1,129; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987;

amended May 1, 1988; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995.)

Judith McConnell
Executive Director

Doc. No. 015699

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 1.—DISEASES

28-1-19. Standards for admission and discharge, care, treatment and maintenance of persons with communicable tuberculosis in medical care facilities.

(a) Persons with communicable tuberculosis may be admitted to licensed medical care facilities, in accordance with the provisions set forth by K.S.A. 65-116j, when one or more of the following criteria for in-patient care exists:

(1) Patients with tuberculosis requiring 24 hours a day nursing care;

(2) patients with communicable tuberculosis whose environmental conditions in the home or behavior patterns of the patient or other household members are such that transmission of the infection cannot be controlled;

(3) patients currently on anti-tuberculosis drug regimens who are prone to develop reactivation of tuberculosis subsequent to another disease or condition;

(4) patients requiring hospitalization for monitoring toxicity of anti-tuberculosis drugs; or

(5) persons highly suspect for tuberculosis, who on the basis of inconclusive symptoms, x-ray findings, or bacteriologic studies present a complex diagnostic problem which cannot be resolved on an outpatient basis.

(b) All admissions and discharges of tuberculosis patients shall be in accordance with the Kansas Medicaid and Medicare hospital utilization review procedures. All admissions and discharges shall be reported to the department of health and environment.

(c) Patients whose sputa are positive for *M. tuberculosis* on microscopic examination shall be cared for in rooms equipped to maintain acid fast bacilli (AFB) isolation.

(d) All medical, nursing, rehabilitative, and social services customarily provided by the medical care facility shall be provided for patients hospitalized for tuberculosis, including services for the management of acute problems which are present upon admission or arise during hospitalization for tuberculosis, and for maintenance management of pre-existing chronic conditions, except elective and extraordinary procedures. (Authorized by K.S.A. 65-116j, 65-128; effective, E-76-49, Oct. 1, 1975; effective Feb. 15, 1977; amended Jan. 30, 1995.)

Article 4.—MATERNAL AND CHILD HEALTH

28-4-550. Definitions. (a) "Assessment" means ongoing procedures used by appropriate qualified person-

nel throughout the period of a child's eligibility under Part H of the individuals with disabilities education act (IDEA) to identify:

- (1) the child's unique strengths and needs;
- (2) the child's level of functioning in each of the following developmental areas:
 - (A) cognitive development;
 - (B) physical development, including health and nutrition, motor, vision, and hearing;
 - (C) communication development;
 - (D) social or emotional development; and
 - (E) adaptive development;
- (3) the family's concerns, resources, and priorities related to the development of the child; and
- (4) the nature and extent of early intervention services that are needed by the child and the child's family to meet those needs.

(b) "Assistive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. "Assistive technology service" means a service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.

(c) "Center-based" means sites designed primarily for young children with disabilities to receive early intervention services.

(d) "Child find" means public and professional activities, including awareness activities, for the purpose of identifying the potential need for early intervention services.

(e) "Collaboration" means the establishment and maintenance of open communication and cooperative working relationships among service providers and other caregivers and the family when identifying goals and delivering care to children.

(f) "Community" means an interacting population of various kinds of individuals in a common location.

(1) Families may define their communities in different ways depending on the type, intensity, and frequency of their needs and their culturally-specific values.

(2) A community may exist at local, regional, or national levels.

(3) Local community means the geographic service area as defined by the local council.

(4) The service area may be defined using various boundaries, including city, county, parts of counties, or multi-county regions.

(g) "Community-based" means places where small groups of infants and toddlers without disabilities are typically found, including child care centers or family day care.

(h) (1) "Consent" means that:

(A) the parent or parents have been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication;

(B) the parent or parents understand and agree in writing to the carrying out of the activity for which consent is sought;

(C) the parent or parents understand that the granting of consent is voluntary on the part of the parent or parents and may be withdrawn at any time; and

(D) the parent or parents understand that they have the right to determine whether the infant or toddler or other family members will accept or decline an early intervention service, without jeopardizing other early intervention services.

(2) The consent form to be signed by the parent or parents shall describe the activity for which consent is sought and shall list the records, if any, that shall be released and to whom.

(i) "Continuing education experience" means:

(1) college and university coursework after obtaining the professional credential; or

(2) an inservice, workshop or conference which offers approved professional continuing education credit.

(j) "Developmental delay" means any of the following conclusions obtained using the appropriate standardized instruments and procedures in one or more areas of development including cognitive, physical, communication, social or emotional, or adaptive development.

(1) There is a discrepancy of 25 percent or more between chronological age after correction for prematurity and developmental age in any one area.

(2) The child is functioning at 1.5 standard deviations below the mean in any one area.

(3) There are delays of at least 20 percent or at least one standard deviation below the mean in two or more areas.

(4) The clinical judgment of the multidisciplinary team concludes that a developmental delay exists when specific tests are not available or when testing does not reflect the child's actual performance. The professional in the area or areas of delay shall be a member of the team.

(k) "Due process hearing" means a formal hearing process which provides the family or the agency providing the services a forum for considering individual child complaints by an impartial decision maker.

(l) "Eligible" means that children, birth through two years, have:

(1) a developmental delay or a known condition leading to a developmental delay; or

(2) an established risk for developmental delay, which is a diagnosed mental or physical condition that has a high probability of resulting in developmental delay. The delay may or may not be exhibited at the time of diagnosis, but the common history of the disorder indicates the need for early intervention services.

(m) "Evaluation" means results determined by appropriate qualified personnel to establish a child's initial and continuing eligibility under Part H of IDEA.

(n) "Family" means those persons identified by the parent or parents of an infant or a toddler with special needs to be "family" in developing the IFSP and early intervention services.

(o) "Family service coordinator" means, for an eligible child and family, the person or persons to be responsible for coordinating all services across agency lines and serving as the single point of contact in helping parents to obtain the services and assistance they need.

(p) "Home-based" means a site identified by the family as the home where individual services for a child and family are delivered.

(continued)

(q) "Individualized family service plan" means a written plan for providing early intervention services to an eligible child and the child's family.

(r) "Interagency collaboration" means cooperative efforts between or among agencies to maximize resources on behalf of children with special needs and their families.

(s) "Lead agency" means the state agency designated by the governor to:

(1) monitor agencies, institutions, and organizations used by the state to carry out its responsibilities for providing services to children birth through age two who need early intervention services;

(2) enforce any obligations imposed on those agencies;

(3) provide technical assistance to those agencies; and

(4) correct deficiencies that are identified through monitoring.

(t) "Local fiscal agency" means a legal entity which assures compliance with the Part H grant award and maintains an accounting system that meets the requirement for generally accepted accounting principles for recording receipts, obligations, and disbursements of Part H grant funds.

(u) "Local lead agency" means a local agency designated by the local council and acknowledged by the secretary of the lead agency to coordinate agencies, institutions, and organizations used by the local community to carry out its responsibilities for providing services to children birth through age two who need early intervention services.

(v) "Mediation" means the community-based process by which participants, together with the assistance of a neutral person, move toward resolution or resolve a dispute within the community through discussion of options, alternatives, and negotiation.

(w) "Native language" when used with reference to persons of limited English proficiency, means the language or mode of communication normally used by the parent or parents of a child eligible under Part H of IDEA.

(x) "Natural environment" means the home and community settings in which children without disabilities participate.

(y) "Parent" means a parent, a guardian, a person acting as a parent of a child, or a surrogate parent who has been appointed according to Part H procedures. The term does not include the state if the child is a ward of the state.

(z) "Part H" means the portion of IDEA that describes the grant program for states to develop a statewide, comprehensive, coordinated, multidisciplinary, interagency system to provide early intervention services for infants and toddlers with disabilities and their families.

(aa) "Personally identifiable" means information that includes:

(1) the name of the child, the child's parent, or another family member;

(2) the address of the child;

(3) a personal identifier, such as the child's or parent's social security number; or

(4) a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

(bb) "Primary referral source" means a member of the child find system that includes:

(1) hospitals, including prenatal and postnatal care facilities;

(2) physicians, including pediatricians and other doctors;

(3) parents;

(4) child care providers;

(5) local education agencies;

(6) public health facilities;

(7) other social service agencies; and

(8) other health care providers.

(cc) "Records" means reports, letters or other documents that are collected, maintained, or used by the agency in the screening, evaluation, and development of the individualized family service plan or in the delivery of services, or both.

(dd) "Referral" means a transfer of information to determine eligibility, initiate, or continue early intervention services.

(ee) "Screening" means results of a brief procedure administered by qualified personnel, according to K.A.R. 28-4-564, to identify a child who needs an evaluation. The five developmental domains are included:

(1) Cognitive development;

(2) physical development including health and nutrition, motor, vision, and hearing;

(3) communication development;

(4) social or emotional development; and

(5) adaptive development.

(ff) "Screening process" means the clinical observation of or the use of a developmentally appropriate screening tool to study a presumed normal population of infants and toddlers which may initiate a referral for evaluation according to K.A.R. 28-4-562.

(gg) "Transition at age three" means the movement from services under Part H to preschool services under Part B which must be addressed in the IFSP, identifying steps to be taken to inform and involve the family and to support the child upon reaching age three.

(hh) "Vision services" means:

(1) evaluation and assessment of visual functioning, including the diagnosis and appraisal of specific vision disorders, delays, and abilities;

(2) referral for medical or other professional services necessary for the habilitation or rehabilitation of visual functioning disorders, or both; and

(3) communication skills training, orientation and mobility training for all environments, visual training, independent living skills training, and additional training necessary to activate visual motor abilities. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-551. Child find activities. (a) The local interagency coordinating council shall establish a local contact point for the community, such as a local health department, local education agency, or a developmental center.

(b) The local contact point shall provide information about regularly scheduled child find activities through timely public dissemination in the community.

(c) Referrals for child find may come from any primary referral source.

(d) Referrals through child find shall be made when concerns are identified and a need for evaluation is established.

(e) A referral shall be made within two working days. Parent permission shall not be required for this initial referral.

(f) The individual receiving the initial referral shall document in writing:

- (1) The name of the primary referral source;
- (2) the phone number of the primary referral source; and
- (3) the date of the referral. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-552. Screening activities. (a) Screening of a presumed normal population of infants and toddlers may involve activities provided by:

- (1) the local education agency;
 - (2) the local health department;
 - (3) the local providers of early intervention services; and
 - (4) providers of the early and periodic screening, diagnosis, and treatment program (EPSDT), known as KAN be healthy in Kansas, among others.
- (b) Families may choose to have their child evaluated, rather than screened.

(c) Certain conditions, such as down syndrome, indicate the need for evaluation rather than screening.

(d) Screening shall be available at least monthly.

(e) Screening may be conducted in places where a child may be found in the course of regular activities such as a home, child care center, or physician's office, or at community locations such as a health department, school, or developmental center.

(f) Written parental consent shall be required before screening.

(g) Screening may be conducted by a qualified person or by a qualified multidisciplinary team.

(h) Screening shall include the five developmental domains.

(i) Screening shall result in one of three possible outcomes:

- (1) "pass" which means that no concerns were identified and the child is developing within normal limits;
- (2) "questionable" which means the results of the screening process were such that a re-screening is needed within a specified time; or
- (3) "refer" which means that concerns were identified and a referral for evaluation shall be made.

(j) Referral from the screening shall be provided at no cost to families. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-553. Evaluation and assessment activities. (a) A multidisciplinary evaluation to determine eligibility shall be available for any child:

- (1) With a diagnosis that has an established risk for a developmental delay;
- (2) with a suspected disability;
- (3) at risk for a disability;
- (4) upon request of the family; or

(5) who failed a screening.

(b) A child with a condition that is an established risk for developmental delay shall be considered eligible and in need of services, and shall be referred for evaluation and assessment without a screening.

(c) A referral for evaluation shall be made within two working days of the identification.

(d) The child's level of functioning shall be determined by an evaluation in each of the five developmental areas:

(e) Evaluation shall result in one of two outcomes:

- (1) Eligible for Part H services; or
- (2) not eligible for Part H services.

(f) Evaluation and assessment shall be provided at no cost to families.

(g) Evaluation and initial assessment shall take place within 45 calendar days after referral.

(h) Written parental consent shall be required before evaluation and assessment.

(i) Assessment results for the child shall include information in all domains of delay. Previous evaluation and assessment results within the past six months shall be considered current.

(j) An optional family-directed identification of the priorities, resources, and concerns of the family shall be included in the assessment. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-554. Eligibility for early intervention services. (a) Children, ages birth through two years, shall be eligible for early intervention services when:

- (1) they are identified as having a developmental delay or a known condition leading to a developmental delay; or
- (2) they have an established risk for developmental delay.

(b) Continuing eligibility shall be established by an annual evaluation of the five developmental domains. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-555. Family-directed assessment activities. (a) Family-directed assessment shall be optional, depending on the family's choice.

(b) The components of a family-directed assessment are:

- (1) The identification of the resources, priorities, and concerns expressed by the family; and
- (2) the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler with a disability.

(c) Participants in the family-directed assessment process include the parent and others specified by the parent as family, as well as appropriate service providers such as the family service coordinator.

(d) The family-directed assessment process may be conducted during an informal personal interview or interviews, with or without using a formal questionnaire.

(e) The child shall not be denied early intervention services because the family chooses not to participate in a family-directed assessment. With parent permission,

(continued)

the evaluation process shall continue and timelines shall be established without the family-directed assessment. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-556. Family service coordination. (a) Each child eligible for early intervention services and the child's family shall have a family service coordinator or co-coordinators.

(b) Family service coordination begins with assisting in development of the evaluation and individualized family service plan (IFSP). The process involves:

(1) assisting parents of eligible children in gaining access to the early intervention services and other services identified in the IFSP;

(2) assisting the family in acquiring and clarifying information;

(3) coordinating the provision of early intervention services and other services that the child needs as identified on the IFSP, including medical services for other than diagnostic and evaluation purposes, or those services provided across agency lines;

(4) facilitating the timely delivery of available services; and

(5) continuously seeking the appropriate services and situations necessary to benefit the development of the child being served for the duration of the current IFSP.

(c) Specific family service coordination activities shall include:

(1) coordinating the performance of evaluations and assessments;

(2) facilitating and participating in the development, review, and evaluation of the IFSP;

(3) assisting families in identifying available service providers;

(4) coordinating and monitoring the delivery of identified services;

(5) informing families of the availability of advocacy services;

(6) coordinating with medical and health providers;

(7) assisting the family in securing non-required services;

(8) with parent permission, informing the Part B early childhood special education program of the existence of the Part H eligible child and convening a conference among the family, Part H early intervention program, and Part B early childhood special education program at least 90 calendar days before the child's third birthday, or before that time, if the birthday is in the summer; and

(9) facilitating the development of a transition plan to preschool services, if appropriate, by reviewing in collaboration with Part B personnel the child's program options for the period commencing on the day a child turns three, or before that time if the birthday is in the summer, for the remainder of the school year.

(d) The number of children and families seen by a family service coordinator shall depend on factors such as the individualized needs of each child and family, including length of sessions, service-delivery model, and transportation variables. Family service coordinators shall be monitored to determine if they are meeting the individualized needs of children and families.

(e) Family service coordinators shall meet the standards as identified by Part H of IDEA. The family service coordinator shall have demonstrated knowledge and understanding about:

(1) infants and toddlers who are eligible for early intervention services, as defined in K.A.R. 28-4-554;

(2) Part H and Part B of IDEA, the federal regulations, K.S.A. 1993 Supp. 75-5648 and 75-5649, the administrative regulations; and

(3) the nature and scope of services available under the Kansas Part H infant-toddler program, the system of payments for services in Kansas, and other pertinent information.

(f) The family shall have the right to choose the family service coordinator, who may be from the profession most immediately relevant to the needs of the child and family, or another qualified individual. The family may request a change in coordinators.

(g) Parents shall be given the option of being co-coordinators.

(1) A parent may become qualified to perform all service functions carried out by a family service coordinator and provide the family service coordination service for another family, if the parent demonstrates appropriate competencies as identified by the Kansas department of health and environment.

(2) Parents may choose to reject family service coordination for their own child, when completely informed of the rights and responsibilities involved:

(h) The use of the term "family service coordination" instead of "case management" shall not affect the authority to seek reimbursement for services provided under medicaid or any other legislation that makes reference to "case management" services.

(i) Family service coordination shall be provided at no cost to families. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-557. Individualized family service plan. (a) An IFSP shall be developed in writing by the family, family service coordinator, and other professionals for each eligible child and the child's family.

(b) The IFSP shall be an ongoing process of planning and adjusting of services for the changing developmental needs of the child with disabilities and the child's family.

(c) The family and appropriate qualified personnel shall develop the IFSP through processes of discussion and decision-making.

(d) Services included on the IFSP shall enhance the development of the child and the capacity of the family to meet the special and developmental needs of the child.

(e) The contents of the IFSP shall be fully explained to the family.

(1) Informed consent from the parents shall be obtained in writing prior to the provision of early intervention services described in the IFSP. The signature shall indicate that the parents agree to the IFSP.

(2) Parents shall not be denied other early intervention services if the parents do not consent with respect to one early intervention service.

(f) Unique cultural characteristics and preferences of families shall be respected in IFSP development.

(g) Timelines for the IFSP shall be as follows.

(1) There shall be a 45-calendar-day limit between referral or evaluation and development of the initial IFSP, during which time the comprehensive multidisciplinary evaluation shall be conducted.

(2) There shall be a six-month limit for a periodic review of the IFSP.

(3) There shall be an annual review to evaluate and revise the IFSP.

(4) IFSP reviews may occur more frequently than noted in paragraphs (2) and (3) above.

(h) Documentation within the IFSP shall include the parent's signature for the initial IFSP, the periodic review, and the annual revision. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-558. Content of the individualized family service plan (IFSP). The IFSP shall include the following:

(a) results of the multidisciplinary evaluation, including the unique strengths and needs of the infant or toddler, in the areas of:

(1) physical development, including health and nutrition, vision, hearing, and motor skills;

(2) cognitive development;

(3) communication development;

(4) social or emotional development; and

(5) adaptive development;

(b) results of an optional family-directed assessment of the resources, priorities, and concerns of the family;

(c) optional identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler with a disability;

(d) outcomes expected to be achieved for the child and family including:

(1) criteria, procedures, and timelines used to determine the outcomes;

(2) the degree to which progress toward achieving the outcomes is being made; and

(3) whether modifications or revisions of the outcomes or services are necessary;

(e) a statement of the natural environments in which early intervention services shall be provided, and if necessary a justification for provision of services in other than natural environments;

(f) services necessary to meet the unique strengths and needs of the child and family in order to achieve the outcomes included in the IFSP, as defined in K.A.R. 28-4-550;

(g) for each service listed, a statement including:

(1) the frequency and intensity of service including the number of days or sessions that a service shall be provided, the length of time the service shall be provided during each session, and whether the service shall be provided on an individual or a group basis;

(2) the location of where a service is provided, including:

(A) home-based;

(B) center-based; and

(C) community-based; and

(3) the fact that where group settings are used, the infant or toddler with a disability shall be placed, to the maximum extent possible, in groups with age peers without disabilities, such as playgrounds, child care centers, or other typical settings for infants and toddlers without disabilities.

(4) a description of how an indirect or a direct early intervention service is provided including:

(A) by a qualified professional; and

(B) by a paraprofessional who is being supervised by a qualified professional;

(5) the payment arrangements, if any;

(h) to the extent appropriate, other services listed on the IFSP, including:

(1) medical and other services that the child needs, but are not required under Part H of IDEA; and

(2) the steps that shall be undertaken to secure those services through public or private resources;

(i) the name of the family service coordinator;

(j) transition plans for the child who will become three years of age during that year, commencing at least 90 calendar days prior to the child's third birthday, or before that date, if the birthday is in the summer; and

(k) the signature of the parent. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-559. IFSP development meetings. (a) IFSP development meetings shall be conducted in:

(1) settings and at times that are convenient to families and mutually agreed upon; and

(2) the native language of the family or other mode of communications used by the family.

(b) IFSP development meetings shall occur within 45 calendar days from referral. The meeting notice shall be in writing.

(c) If parents are unable to attend the scheduled IFSP development meeting, the team shall not meet. The reason for cancellation of the meeting shall be documented in the child's records. The IFSP development meeting shall be rescheduled at a time mutually agreed upon by the parents and other team members.

(d) Participants in the initial IFSP and annual evaluation of the IFSP shall include:

(1) the parent or parents of the child;

(2) the family service coordinator who has been working with the family since the initial referral, or who has been chosen by the family to be responsible for the implementation of the IFSP, unless the family chooses not to have a family service coordinator;

(3) other family members as requested by the parents;

(4) an advocate or other person outside of the family as requested by the parents;

(5) the person or persons directly involved in conducting the evaluations and assessments. If unable to attend, input from these individuals shall be provided through other means, including:

(A) participating in a conference call;

(B) having a knowledgeable authorized representative attend; and

(C) making pertinent records available at the meeting.

(continued)

(6) as appropriate, persons who will be providing services to the child, family, or both.

(e) Each periodic review of the IFSP shall provide for the participation of persons in paragraphs (d)(1-6) of this section. If conditions warrant, provisions must be made for the participation of other representatives identified in paragraph (d) of this section. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-560. Interim individualized family service plan. (a) An interim IFSP is necessary and applicable if:

(1) services for Part H eligible children begin before assessment is completed; or

(2) an evaluation and IFSP cannot be completed within 45 calendar days of referral due to exceptional circumstances such as illness of the child.

(b) The interim IFSP shall be temporary and shall document the reasons why an interim IFSP is needed.

(1) The interim IFSP shall be in effect a maximum of 45 calendar days from referral.

(2) A second interim IFSP may be written in accordance with subparagraph (a)(2) of this regulation.

(3) A maximum of two interim IFSPs may be written for the same child.

(c) The interim IFSP shall include:

(1) the name of the family service coordinator who will be responsible for the implementation of the interim IFSP and coordination with other agencies and persons;

(2) the early intervention services that are determined to be needed immediately by the child and family;

(3) documentation by the family service coordinator of the reason or reasons that the 45-day time requirement for completing the evaluation and developing the IFSP has not been met; and

(4) parental signature indicating their knowledge of, and agreement to, the desire to begin services before evaluation, or the delay in completing the evaluation. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-561. Transitions. (a) Transitions require family involvement and interdisciplinary and interagency collaboration and cooperation.

(b) Transition from infant-toddler part H services to early childhood special education Part B services shall be initiated by the Part H program by:

(1) notifying the Part B early childhood special education program of a potentially eligible child for preschool services; and

(2) convening, with the approval of the family, a conference among the family, Part H program, and the Part B early childhood special education program at least 90 calendar days before the child is eligible for the preschool program under Part B, or before that date, if the birthday is in the summer, to:

(A) review the child's program options, considering the many program possibilities for the period from the child's third birthday through the remainder of the school year, or before that date, if the birthday is in the summer; and

(B) establish a transition plan.

(c) Steps to be considered in developing a transition plan that is included in the IFSP shall include:

(1) discussions with, training of, or instruction for parents regarding due process rights and future services, and other matters related to the child's transition;

(2) procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in a new setting;

(3) transmission of information about the child to the local education agency, with parental consent, in writing, including evaluation and assessment information and copies of individualized family service plans that have been developed and implemented;

(4) consideration of the financial responsibilities of all appropriate agencies;

(5) decisions about the responsibility for performing or sharing evaluations of children;

(6) development and implementation of an individualized family service plan or an individualized education program (IEP); and

(7) mechanisms to ensure the uninterrupted provision of appropriate services to the child, including the summer months. Extended school year services during the summer for a three-year-old child shall be determined by the Part B program IFSP or IEP team.

(d) Other transitions shall be considered and planned for, including:

(1) neonatal intensive care nursery (NICU) to home;

(2) home to center-based services; and

(3) any occurrence that has a major impact on the child and family such as a move, hospitalization, or personnel change.

(e) Referral shall be made from one Part H program to another. Parent permission shall be required in writing. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-562. Early intervention services. (a) Early intervention services for the child with developmental delays or disabilities shall be designed to meet the unique characteristics of the child and family.

(b) Early intervention services shall include:

(1) assisting infants and toddlers to attain age-appropriate developmental levels;

(2) enhancing the capacity of infants and toddlers with developmental delays or disabilities to reach maximum potential; and

(3) enhancing the capacity of families to meet the special needs of their infants and toddlers.

(c) Guidelines for delivering early intervention services shall include the following principles.

(1) The family shall be a partner in decision making, ongoing assessments, and all aspects of service delivery.

(2) Early intervention services shall be provided in natural environments, including the home and community settings in which children without disabilities participate, to the maximum extent appropriate to the needs of the child.

(3) The frequency of services shall reflect the needs of the infant or toddler and family and shall be determined in collaboration with the family.

(4) The amount of time per session of service shall be based on the needs of the child and family, and shall vary across time as those needs change.

(5) The delivery mode shall be selected in collaboration with the family to meet the needs of the child and family.

(6) The number of children and families seen by a service provider shall depend on factors such as the individualized needs of each child and family unit, the length of sessions, the service delivery model, and transportation variables. Service providers shall be monitored on meeting the individualized needs of children and families.

(d) The types of early intervention services for eligible children and their families shall include, at the minimum:

(1) assistive technology devices and services, including:

(A) devices such as any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities;

(B) services that directly assist a child with a disability in the selection, acquisition, or use of an assistive technology device, including:

(i) the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;

(ii) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;

(iii) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;

(iv) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing early intervention plans and programs;

(v) training or technical assistance for a child with disabilities, or, if appropriate, that child's family; and

(vi) training or technical assistance for professionals including individuals providing early intervention services, or other individuals who provide services to or are otherwise substantially involved in the major life functions of individuals with disabilities;

(2) audiology services, including:

(A) identification of children with auditory impairment, using at risk criteria and appropriate audiologic screening techniques;

(B) determination of the range, nature, and degree of hearing loss and communication functions, by use of audiological evaluation procedures;

(C) referral for medical and other services necessary for the habilitation or rehabilitation of children with auditory impairment;

(D) provision of auditory training, aural rehabilitation, speech reading and listening device orientation and training, and other services;

(E) provision of services for prevention of hearing loss; and

(F) determination of the child's need for individual amplification, including selecting, fitting, and dispensing appropriate listening and vibrotactile devices, and evaluating the effectiveness of those devices;

(3) family training, counseling, and home visits including services provided, as appropriate, by social workers, psychologists, and other qualified personnel to assist the family of a child eligible under this part in understanding the special needs of the child and enhancing the child's development;

(4) health services including services necessary to enable a child to benefit from early intervention services, including:

(A) clean intermittent catheterization, tracheostomy care, tube feeding, the changing of dressings or colostomy collecting bags, and other health services; and

(B) consultation by physicians with other service providers concerning the special health care needs of eligible children that will need to be addressed in the course of providing other early intervention services;

(C) other services not including services that:

(i) are surgical in nature such as cleft palate surgery, surgery for club foot, or the shunting of hydrocephalus;

(ii) are purely medical in nature such as hospitalization for management of congenital heart ailments, or the prescribing of medicine or drugs for any purpose; or

(iii) consist of devices necessary to control or treat a medical condition, or medical-health services such as immunizations and regular "well-baby" care that are routinely recommended for all children.

(5) medical services only for diagnostic or evaluation purposes including services provided by a licensed physician to determine a child's developmental status and need for early intervention services;

(6) nursing services including:

(A) the assessment of health status for the purpose of providing nursing care, including the identification of patterns of human response to actual or potential health problems;

(B) provision of nursing care to prevent health problems, restore or improve functioning, and promote optimal health and development; and

(C) administration of medications, treatments, and regimens prescribed by a licensed physician;

(7) nutrition services including:

(A) conducting individual assessments in:

(i) nutritional history and dietary intake;

(ii) anthropometric, biochemical, and clinical variables;

(iii) feeding skills and feeding problems; and

(iv) food habits and food preferences;

(B) developing and monitoring appropriate plans to address the nutritional needs of eligible children; and

(C) making referrals to appropriate community resources to carry out nutrition goals;

(8) occupational therapy including services to address the functional needs of a child related to adaptive development, adaptive behavior and play, and sensory, motor, and postural development, which shall be designed to improve the child's functional ability to perform tasks in home, school, and community settings, and shall include:

(A) identification, assessment, and intervention;

(B) adaptation of the environment, and selection, design, and fabrication of assistive and orthotic devices to

(continued)

facilitate development and promote the acquisition of functional skills; and

(C) prevention or minimization of the impact of initial or future impairment, delay in development, or loss of functional ability;

(9) physical therapy including services to address the promotion of sensorimotor function through enhancement of musculoskeletal status, neurobehavioral organization, perceptual and motor development, cardiopulmonary status, and effective environmental adaptations, and which shall include:

(A) screening, evaluation, and assessment of infants and toddlers to identify movement dysfunction;

(B) obtaining, interpreting, and intergrading information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems; and

(C) providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems;

(10) psychological services including:

(A) administering psychological and developmental tests and other assessment procedures;

(B) interpreting assessment results;

(C) obtaining, integrating, and interpreting information about child behavior, and child and family conditions related to learning, mental health, and development; and

(D) planning and managing a program of psychological services, including psychological counseling for children and parents, family counseling, consultation on child development, parent training, and education programs;

(11) family service coordination services including assistance and services provided by a family service coordinator to an eligible child and the child's family that are in addition to the functions and activities included under K.A.R. 28-4-556;

(12) social work services including:

(A) making home visits to talk with the family and observe patterns of parent-child interaction;

(B) preparing a social or emotional developmental assessment of the child within the family context;

(C) providing individual and family-group counseling with parents and other family members, and appropriate social skill-building activities with the child and parents;

(D) working with those problems that affect the child's maximum utilization of early intervention services in a child's and family's living situation and any center where early intervention services are provided; and

(E) identifying, mobilizing, and coordinating community resources and services to enable the child and family to receive maximum benefit from early intervention services;

(13) special instruction including:

(A) the design of learning environments and activities that promote the child's acquisition of skills in a variety of developmental areas, such as cognitive processes, adaptive skills development, and social interaction;

(B) curriculum planning, including the planned interaction of personnel, materials, and time and space, that

leads to achieving the outcomes identified in the child's individualized family service plan;

(C) providing families with information, skills, and support related to enhancing the skill development of the child; and

(D) working with the child to enhance the child's development;

(14) speech-language pathology including:

(A) identification of children with communicative or oropharyngeal disorders and delays in development of communication skills, including the diagnosis and appraisal of specific disorders and delays in those skills;

(B) referral for medical or other professional services necessary for the habilitation or rehabilitation of children with communicative or oropharyngeal disorders and delays in development of communication skills; and

(C) provision of services for the habilitation, rehabilitation, or prevention of communicative or oropharyngeal disorders and delays in development of communication skills;

(15) transportation and related costs including the cost of travel, such as mileage or travel by taxi, common carrier, or other means, and other costs such as tolls and parking expenses that are necessary to enable an eligible child and the child's family to receive early intervention services;

(16) vision services including:

(A) evaluation and assessment of visual functioning, including the diagnosis and appraisal of specific visual disorders, delays, and abilities;

(B) referral for medical or other professional services necessary for the habilitation or rehabilitation of visual functioning disorders, or both; and

(C) communication skills training, orientation and mobility training for all environments, visual training, independent living skills training, and additional training necessary to activate visual motor abilities.

(17) under the appropriate circumstances, the provision of respite and other family support services. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-563. Service providers. (a) Early intervention services shall be provided by qualified personnel as described in K.A.R. 28-4-564.

(b) Services providers in each area of early intervention services, to the extent appropriate, shall be responsible for:

(1) Consulting with parents, other service providers, and representatives of appropriate community agencies to ensure the effective and coordinated provision of services in that area;

(2) training parents and other caregivers regarding the provision of those services for the child; and

(3) participating in the multidisciplinary team's assessment of a child and the child's family, and in the development of integrated outcomes for the individualized family service plan.

(c) Early intervention service providers described in K.A.R. 28-4-564 shall participate in continuing education pertaining to children from birth through five years and their families, according to the procedure manual for infants and toddlers in Kansas, as in effect (1993). (Au-

thorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-564. Personnel standards. (a) Early intervention services shall be provided by qualified personnel.

(b) Qualified personnel shall meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the person is providing early intervention services.

(1) Audiologists shall be licensed by the Kansas department of health and environment.

(2) Marriage and family therapists shall be registered by the state of Kansas as meeting requirements including a master's degree in marriage and family therapy or in a related field including social work, psychology, counseling, nursing, medicine, or theology.

(3) Nurses shall be licensed as registered professional nurses by the Kansas board of nursing.

(4) Nutritionists shall be licensed dietitians by the Kansas department of health and environment.

(5) Occupational therapists shall be registered by the Kansas board of healing arts.

(6) Orientation and mobility specialists shall be credentialed by meeting standards established by the association for education and rehabilitation of blind and visually impaired.

(7) Pediatricians and other physicians shall be licensed by the Kansas board of healing arts and board certified in the specialty area.

(8) Physical therapists shall be registered by the Kansas board of healing arts.

(9) Psychologists shall be either registered or licensed by the Kansas behavioral sciences regulatory board, or credentialed as school psychologists with early childhood endorsement by the Kansas state board of education.

(10) Social workers shall be either licensed by the Kansas behavioral sciences regulatory board, or credentialed as school social workers with early childhood endorsement by the Kansas state board of education.

(11) Special educators shall be certified in early childhood special education by the Kansas state board of education.

(12) Speech-language pathologists shall be licensed by the Kansas department of health and environment.

(13) Teachers of the hearing impaired shall be certified as a teacher of the hearing impaired with early childhood endorsement by the Kansas state board of education.

(14) Teachers of the blind and visually impaired shall be certified as a teacher of the blind and visually impaired with early childhood endorsement by the Kansas state board of education.

(c) Continuing education experience shall be required to maintain current license, registration, or certification for personnel providing early intervention services.

(1) Continuing education experience shall include discipline or cross-discipline offerings when offerings are clearly related to the enhancement of the practice, value, skills, and knowledge of working with the children with special needs, from birth through age five, and their families.

(2) Where continuing education is a requirement for license, certification, or registration renewal, a minimum of one-third of the required number of credits, units, points, or hours shall focus on the content noted in paragraph (c)(1), except for early childhood special educators, one-third of the required continuing education hours shall be relevant to the children with the special needs, from birth through age two, and their families.

(3) Where there is no continuing education requirement for professional credential renewal, twenty-four continuing education hours in a three-year period shall be required which focus on the content described in paragraph (c)(1).

(d) Aides, assistants, and paraprofessionals in early intervention programs shall work under the supervision of a professional in that discipline according to the standards of that profession. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-565. Community responsibilities. (a) Each community shall have a local interagency coordinating council (ICC) that has as one of its purposes the coordination of early intervention services for infants and toddlers with disabilities and their families.

(1) The local interagency coordinating council shall consist of members who reflect the community, including at a minimum:

- (A) two parents of children with disabilities;
- (B) a representative of a health or medical agency;
- (C) a representative of an educational agency; and
- (D) a representative of a social service agency.

(2) The names of local interagency coordinating council members shall be submitted to and acknowledged by the state lead agency.

(3) The chair of the council shall be elected by the local interagency coordinating council. The name of the chair shall be communicated to the state lead agency.

(4) The responsibilities of the local interagency coordinating council include, but are not limited to:

(A) identifying local service providers who can provide early intervention services to infants and toddlers with disabilities and their families;

(B) advising and assisting local service providers; and

(C) communicating, combining, cooperating, and collaborating with other local councils on issues of concern.

(b) Each community, in collaboration with its local ICC, shall develop a plan describing the system for coordinating early intervention services. The plan shall include:

(1) identification of a local lead agency, which shall be acknowledged by the secretary of the state lead agency;

(2) identification of a local fiscal agency, which shall be acknowledged by the secretary of the state lead agency. The local lead agency and local fiscal agency may be the same agency, if the local lead agency is a legal entity;

(3) a description of the child find plan, including assurance that child find activities are available at least monthly, and a description of the child find plan;

(4) a description of identified community needs and resources;

(continued)

(5) a description of written interagency agreements or memoranda of understanding, and how those agreements are used in the development of IFSPs for eligible children and families;

(6) a public awareness program that informs community members about child find activities, the central point of contact for the community, and the availability of early intervention services;

(7) a provision that the following services shall be at no cost to eligible infants and toddlers and their families:

- (A) child find activities;
- (B) evaluation and assessments;
- (C) family service coordination;
- (D) administrative and coordinative activities related to the development, review and evaluation of the individualized family service plan (IFSP), and implementation of procedural safeguards and other components of the statewide system of early intervention services; and

(E) early intervention services, as described in K.A.R. 28-4-562, included in the infant or toddler's IFSP or otherwise determined to be necessary as the result of a formal evaluation process;

(8) a provision that parents shall not be required to pay deductibles, coinsurance, or amount of charges exceeding payment rates related to private health insurance or other third party payment sources for charges for early intervention services as defined in K.A.R. 28-4-562.

(9) a provision that parents shall be informed, in writing, that they are not required to approve filing of claims with their private insurance policy or policies, or to access Medicaid or other payment sources;

(10) a provision that parents without health insurance or who do not choose to permit filing claims with their health insurance shall not be required to make payment for charges for early intervention services listed previously in subparagraphs (7)(A) through (E) of subsection (b) of this regulation;

(11) a provision that parents shall be assured that their resources to pay for necessary early intervention services shall not result in the denial of services or determine the extent of necessary early intervention services available to the child or the child's family; and

(12) an assurance that the information regarding the community plan is available in the community.

(c) Each community desiring federal and state Part H of IDEA funds shall submit an annual grant application to the state lead agency. This grant application shall:

(1) include the plan for coordination of early intervention services, as described in K.A.R. 28-4-565(b); and

(2) be in compliance with the grant application materials provided by the state lead agency. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-566. Funding. (a) Federal Part H of IDEA funds shall be used to develop and implement a statewide system of early intervention services for infants and toddlers with disabilities and their families.

(1) Federal Part H funds shall be used to supplement and increase the level of state and local funds expended for eligible children and their families, and shall not be

used to supplant those state and local funds, in accordance with 34 CFR 303.124, as in effect on July 30, 1993.

(2) The state shall not reduce medical or other assistance available or alter eligibility under title V of the social security act, relating to maternal and child health, or title XIX of the social security act, relating to medicaid for eligible children, in accordance with 34 CFR 303.527(c), as in effect on July 30, 1993.

(3) Federal Part H funds shall not be used to satisfy a financial commitment for services that would otherwise have been paid for but for the enactment of Part H of IDEA. Part H funds shall be used only for early intervention services that an eligible child needs but is not entitled to under any other federal, state, local, or private source, in accordance with 34 CFR 303.527(a), as in effect on July 30, 1993.

(b) Each community shall be required to utilize multiple funding sources for early intervention services for children birth through age 2 with disabilities and their families. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-567. Procedural safeguards. (a) Parents shall be given the opportunity to inspect and review records relating to:

- (1) screening evaluations and assessments;
- (2) eligibility determinations;
- (3) development and implementation of IFSPs;
- (4) individual complaints dealing with the child; and
- (5) any other area under this program involving records about the child and the child's family.

(b) Prior written notice shall be given to the parents a reasonable time before a public agency or service provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of the child, or the provision of appropriate early intervention services to the child and the child's family.

(1) The notice shall be in sufficient detail to inform the parents of:

- (A) the action that is being proposed or refused;
- (B) the reasons for taking the action; and
- (C) all procedural safeguards available under this part,

(2) The notice shall be:

(A) written in language understandable to the general public; and

(B) provided in the native language of the parents, unless it is clearly not feasible to do so.

(3) The public agency, or designated service provider, if the native language or other mode of communication of the parent is not a written language, shall take steps to ensure that:

(A) the notice is translated orally or by other means to the parents in the parents' native language or other mode of communication;

(B) the parents understand the notice;

(C) there is written evidence that the requirements of this paragraph have been met; and

(D) the mode of communication shall be that normally used by the parents, such as sign language, Braille, or oral communication, if the parents are deaf or blind, or have no written language.

(4) Written parental consent shall be obtained before:

(A) conducting the initial screening evaluation or assessment of the child;

(B) initiating the provision of early intervention services for the first time including at the time the initial IFSP is developed. If parents withdraw consent to a particular early intervention service after first providing consent, that service shall not be provided. Withdrawal of consent shall be in writing; and

(5) The public agency shall make reasonable efforts to ensure that the parent, if consent is not given:

(A) is fully aware of the nature of the evaluation and assessment or the services that would be available;

(B) understands that the child will not be able to receive the evaluation and assessment or services unless consent is given; and

(C) files claims with private health insurance policy or policies, or for Medicaid or other payment sources.

(c) A public agency may initiate procedures to challenge a parent's refusal to consent to the child's initial evaluation, and, if successful, permit the evaluation to proceed. The local agency may initiate a complaint of neglect with the Kansas department of social and rehabilitation services if parental consent for screening, evaluation, assessment, or initiation of services is not given, and the situation warrants. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-568. Surrogate parents. (a) Participating agencies with the assistance of the Kansas department of health and environment, if needed, shall ascertain the legal relationship between the adult caregiver and the child prior to evaluation and assessment. In Kansas, surrogate parents shall be known as child advocates.

(b) The Kansas department of health and environment, in conjunction with participating agencies, shall assign child advocates to the child if:

(1) no parents can be identified;

(2) the public agency, after reasonable efforts, cannot discover the whereabouts of the parents; or

(3) the child is a ward of the state under the laws of Kansas and parental rights have been severed.

(c) The method used for assigning a child advocate shall be as follows.

(1) Local agencies shall inform the Kansas department of health and environment upon determining that a child needs a child advocate.

(2) The Kansas department of health and environment shall assist the local agency in locating an appropriate child advocate or the child advocate shall be assigned under the authority of the Kansas department of health and environment.

(d) The child advocate shall be selected from a list maintained by the Kansas department of health and environment of individuals who have completed training in advocacy for individuals or have demonstrated knowledge of the power, duties, and Kansas functions necessary to provide adequate representation of the child.

(e) The participating agency shall ensure that a person selected as a surrogate parent:

(1) has no interest that conflicts with the interests of the child whom he or she represents; and

(2) has knowledge and skills that ensure representation of the child.

(f) A person assigned as a child advocate shall not:

(1) be an employee of any agency involved in the provision of early intervention or other services to the child; or

(2) be an employee solely because he or she is paid by a public agency to serve as a child advocate.

(g) A child advocate shall represent the child in all matters related to:

(1) the evaluation and assessment of the child;

(2) development and implementation of the child's IFSP, including annual evaluations and periodic reviews;

(3) the ongoing provision of early intervention services to the child; and

(4) any other rights established under this part. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-569. Resolution of complaints. (a) For complaints not resolved informally at the local level, resolution shall be accomplished by the use of mediation, a due process hearing, or both. A parent or an agency providing service shall register with the Kansas department of health and environment a complaint leading to mediation, a due process hearing, or both.

(b) The local lead agency shall, through agreements with local service providers, assure that procedural safeguards are followed and enforced.

(c) The Kansas Part H of IDEA mediation process shall:

(1) be offered to parents as an option but shall not delay or extend the 30-day due process procedure;

(2) be requested by the parents or the agency and have the agreement of both parties prior to entering into the process; and

(3) be completed or at impasse within seven calendar days of the local interagency coordinating council's receipt of the concern.

(d) If at impasse or the time has elapsed, the issue must be forwarded to the Kansas department of health and environment within eight days from the time of the concern.

(e) Mediators selected by KDHE shall:

(1) have knowledge about the provisions of Part H of IDEA and the needs of, and services available for, eligible children and their families;

(2) have training in the mediation process;

(3) meet the impartial definition as listed in K.A.R. 28-4-550;

(4) be selected by mutual agreement of the parents and the local agency; and

(5) perform the following duties:

(A) listen to presentations of both parties to find out facts and isolate issues;

(B) assist in the development of creative alternatives to resolve the complaint;

(C) facilitate negotiation and decision making;

(D) provide, if resolution occurs, a written record of the proceedings, including the decision or solution to the participant and the Kansas department of health and environment; and

(continued)

(E) forward, if no resolution within the time limit or impasse occurs, the complaint to the Kansas department of health and environment within one day by telephone, followed within two working days by written documentation of the complaint and mediation activities.

(f) Parents' rights in mediation shall consist of:

(1) presenting their complaint and other relevant information and facts;

(2) hearing the relevant and factual information of the other participants;

(3) presenting their desired outcome of the complaint and alternative ways to achieve the solution;

(4) exploring with other parties other possible solutions; and

(5) having the mediation proceedings conducted in their native language at a convenient time and place.

(g) The due process hearings shall include the following:

(1) an impartial person who shall:

(A) be appointed by the Kansas department of health and environment to implement the complaint resolution process;

(B) have knowledge about the provisions of due process hearings, and the needs of, and services available for, eligible children and their families;

(C) perform the following duties:

(i) listen to the presentation of relevant viewpoints about the complaint, examine all information relevant to the issues, and seek to reach a timely resolution of the complaint; and

(ii) provide a written or electronic verbatim transcription of the proceedings, including a written decision;

(D) not be an employee of any agency or program involved in the direct provision of early intervention services or care of the child, and shall not have a personal or professional interest that would conflict with his or her objectivity in implementing the process; and

(E) not be an employee of an agency solely because the person is paid by the agency to implement the complaint resolution process.

(2) protection of parents' rights which shall include the right to:

(A) have any proceeding for implementing the complaint resolution process carried out at a time and place that is reasonably convenient to the parents and in their native language;

(B) be accompanied and advised by counsel and by individuals with special knowledge or training with respect to early intervention services for eligible children;

(C) present evidence, and confront, cross-examine, and compel the attendance of witnesses;

(D) prohibit the introduction of any evidence at the proceeding that has not been disclosed to the parent at least five days before the proceeding;

(E) obtain a transcription of the proceedings; and

(F) obtain written findings of fact and the decisions.

(3) The impartial proceeding shall be completed and a written decision shall be mailed to each of the parties no later than 30 days after the receipt of a parent's complaint.

(h) Any party aggrieved by the findings and decision regarding an administrative complaint shall have the

right to bring a civil action in state or federal court. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-570. Status of a child during resolution of complaints proceedings. (a) The child shall continue to receive the appropriate early intervention services currently being provided, during any proceeding involving a complaint, unless the public agency and the child's parents otherwise agree.

(b) The child shall receive those services that are not in dispute, if the complaint involves an application for initial services.

(c) The due process hearing for complaint resolution shall be the responsibility of the state lead agency. The Kansas department of health and environment shall:

(1) inform the parents of any free or low-cost legal and other relevant services available upon request of the parents; and

(2) appoint a hearing officer within one working day of notification of mediation impasse or time limitation not met or initial parent request to move directly into a due process hearing.

(d) The decision made by the hearing officer shall be final unless a party brings a civil action.

(e) Mediation and the due process hearing, if applicable, shall be concluded within 30 calendar days of the receipt of the complaint.

(f) A mediator or hearing officer may grant specific extensions of time, not to exceed a total of 15 calendar days, at the request of either party and with the agreement of both parties. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-571. Confidentiality and access rights. (a) Parents shall be fully informed about their rights for confidentiality and access to records.

(b) The notice to fully inform parents shall be adequate, including:

(1) a description of the extent to which the notice is given in the native languages of the various population groups in the community;

(2) a description of:

(A) the children on whom personally identifiable information is maintained;

(B) the types of information sought;

(C) the methods the community intends to use in gathering the information, including the sources from whom information is gathered; and

(D) the uses to be made of the information;

(3) a summary of the policies and procedures which participating agencies shall follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and

(4) a description of all of the rights of parents and children regarding this information, including the rights under section 438 and part 99 of the general education provisions act, the family educational rights and privacy act of 1974, and implementing regulations.

(c) Before any community child find activity, the notice shall be published or announced in newspapers or other media, or both, with circulation adequate to notify parents in the community of the activity.

(d) Each participating agency shall permit parents to inspect and review any of the child's records which are collected, maintained, or used by the agency under this part. The agency shall comply with a request without unnecessary delay and before any meeting regarding an individualized family service plan or hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 calendar days after the request has been made.

(e) The right to inspect and review records under this section shall include:

(1) a response from the participating agency to reasonable requests for explanations and interpretations of the records;

(2) a request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

(3) an agency may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable state laws governing such matters as guardianship, separation, and divorce. (Authorization by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

28-4-572. Records and amendments to records.

(a) Each participating agency shall keep a record of parties obtaining access to records collected, maintained, or used, except access by parents and authorized employees of the participating agency, including:

(1) the name of the party;

(2) the date access was given; and

(3) the purpose for which the party is authorized to use the records.

(b) If any record includes information on more than one child, the parents of the children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

(c) Each participating agency shall provide parents, on request, a list of the types and locations of records collected, maintained, or used by the agency.

(d) Each participating agency may charge a fee for copies of records which are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

(e) A participating agency shall not charge a fee to parents to search for or to retrieve information.

(f) A parent, who believes that information in records collected, maintained or used under this part is inaccurate or misleading or violates the privacy or other rights of the child, may request the participating agency which maintains the information to amend the information.

(g) The participating agency shall decide whether to amend the information in accordance with the request within 30 calendar days after receipt of the request.

(h) The agency shall inform the parents of the agency refusal to amend the information in accordance with the request. The agency shall advise the parents of the right to a hearing.

(i) The participating agency shall, on request, provide an opportunity for a hearing to challenge information in records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

(1) The participating agency shall amend the information, if, as a result of the hearing, the agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. The agency shall inform the parent in writing.

(2) The participating agency shall inform the parent of the right to place in the records the agency maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency, if, as a result of the hearing, the participating agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

(3) Any explanation placed in the records of the child under this section shall:

(A) be maintained by the agency as part of the records of the child as long as the record or contested portion is maintained by the agency; and

(B) be disclosed to the party, if the records of the child or the contested portion is disclosed by the agency to any party.

(4) A hearing regarding record content shall be conducted according to the procedures of the family education rights and privacy act (FERPA), section 99.22, as in effect on July 1, 1993.

(j) Parental consent shall be obtained before personally identifiable information is:

(1) disclosed to anyone other than officials of participating agencies collecting or using the information, subject to paragraph (k) of this section; or

(2) used for any purpose other than meeting a requirement of Part H of IDEA.

(k) A participating agency or an institution subject to the family education rights and privacy act, section 99.313, as in effect on July 1, 1993, or IDEA shall not release information from records to participating agencies without parental consent unless authorized to do so.

(l) Parents, if they refuse to provide consent under this section, shall be given information regarding their due process rights and an opportunity to implement a due process hearing.

(m) Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. Protection methods shall include the following procedures.

(1) One official at each participating agency shall assume responsibility for insuring the confidentiality of any personally identifiable information.

(2) All persons collecting or using personally identifiable information shall receive training or instruction regarding the state's policies and procedures under Part H of IDEA and the family education rights and privacy act, as in effect on July 1, 1993.

(3) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

(continued)

(n) The public agency shall inform parents when personally identifiable information is collected, maintained, or used under Part H of IDEA is no longer needed to provide Part H services to the child.

(o) The information shall be destroyed at the request of the parents. However, a permanent record of a child's name, address, phone number, birthdate, developmental status, and services provided may be maintained without time limitation.

(p) Children shall be afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

(q) Kansas infant-toddler services of the Kansas department of health and environment shall monitor and supervise the procedures included in this regulation to insure that policies and procedures are followed and that the requirements of the Act and the regulations of Part H of IDEA are met. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015700

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1993 Supplement to the *Kansas Administrative Regulations*.

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4-13-64	Amended	V. 13, p. 1019
4-13-65	Amended	V. 13, p. 1019
4-16-1a	Amended	V. 13, p. 1610
4-16-1c	Amended	V. 13, p. 1611
4-16-300	Amended	V. 13, p. 1611
4-16-301	Amended	V. 13, p. 1611
4-16-304	Amended	V. 13, p. 1611
4-16-305	Amended	V. 13, p. 1612
4-17-1c	Amended	V. 13, p. 1612
4-17-5a	Amended	V. 13, p. 1612
4-17-300	Amended	V. 13, p. 1612
4-17-301	Amended	V. 13, p. 1613
4-17-304	Amended	V. 13, p. 1613
4-17-305	Amended	V. 13, p. 1613

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 13, p. 491
5-1-2	New	V. 13, p. 493
5-3-4a	Amended	V. 13, p. 493
5-3-5e	New	V. 13, p. 493

5-3-9	New	V. 13, p. 1543
5-3-10	New	V. 13, p. 1543
5-3-11	New	V. 13, p. 1544
5-3-14 through 5-3-18	New	V. 13, p. 1545-1547
5-4-4	New	V. 13, p. 493
5-5-8 through 5-5-12	New	V. 13, p. 1547-1551
5-7-1	Amended	V. 13, p. 494
5-7-3	Revoked	V. 13, p. 494
5-7-4	New	V. 13, p. 495
5-10-6	New	V. 13, p. 1551
5-11-1	New	V. 13, p. 495
5-11-2	New	V. 13, p. 496
5-21-1	Amended	V. 13, p. 443
5-21-3	Amended	V. 13, p. 444
5-21-4	New	V. 13, p. 444
5-22-1	Amended	V. 13, p. 91
95-22-2	Amended	V. 13, p. 92
5-22-7	Amended	V. 13, p. 92
5-22-8	Amended	V. 13, p. 93

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-19-1 through 7-19-6	New	V. 13, p. 1044, 1045, 1355, 1356
7-23-2	Amended	V. 13, p. 5
7-23-12	New	V. 13, p. 5
7-23-13	New	V. 13, p. 276
7-27-1	Amended	V. 12, p. 1336
7-29-1	Revoked	V. 12, p. 1336
7-29-2	Amended	V. 12, p. 1336
7-36-1 through 7-36-6	New	V. 13, p. 5
7-37-1	New	V. 13, p. 765
7-37-2	New	V. 13, p. 765

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-21	Amended	V. 13, p. 1132
17-15-1	Amended	V. 12, p. 311
17-16-8	Amended	V. 12, p. 314
17-21-1	Amended	V. 12, p. 314
17-21-2	Amended	V. 12, p. 314
17-22-1	Amended	V. 13, p. 1399
17-23-1 through 17-23-16	New	V. 13, p. 49-57
17-23-13	Amended	V. 13, p. 1543

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Reg. No.	Action	Register
19-29-1a	New	V. 12, p. 1336

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD

Reg. No.	Action	Register
20-1-1	Amended	V. 12, p. 1487
20-2-3	New	V. 12, p. 1487
20-2-6	New	V. 12, p. 1488

20-2-7	New	V. 12, p. 1488
20-2-8	New	V. 12, p. 1488
20-2-9	New	V. 12, p. 1488

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-70-1 through 21-70-54	New	V. 13, p. 1651-1660

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-2	Amended	V. 12, p. 444
22-1-3	New	V. 12, p. 444
22-1-4	New	V. 12, p. 444
22-1-5	New	V. 12, p. 445
22-1-6	New	V. 12, p. 445
22-2-1	Revoked	V. 12, p. 445
22-3-1	Revoked	V. 12, p. 445
22-3-2	Revoked	V. 12, p. 445
22-4-1	Revoked	V. 12, p. 445
22-5-3	Amended	V. 12, p. 445
22-6-10	Revoked	V. 12, p. 445
22-6-17	Revoked	V. 12, p. 445
22-6-18	New	V. 12, p. 976
22-7-1	Revoked	V. 12, p. 445
22-7-2	Revoked	V. 12, p. 445
22-7-3	Revoked	V. 12, p. 445
22-7-5	Revoked	V. 12, p. 445
22-7-6 through 22-7-12	New	V. 12, p. 445-447
22-8-1	Revoked	V. 12, p. 448
22-10-3a	Revoked	V. 12, p. 448
22-10-10	Revoked	V. 12, p. 448
22-10-12	Revoked	V. 12, p. 448
22-10-13	Revoked	V. 12, p. 448
22-10-14	Revoked	V. 12, p. 448
22-10-17	Revoked	V. 12, p. 448
22-10-18	New	V. 12, p. 448
22-10-19	New	V. 12, p. 448
22-13-35	Revoked	V. 12, p. 449
22-18-3	Amended	V. 12, p. 449
22-19-1	Amended	V. 12, p. 450
22-19-2	Amended	V. 12, p. 450
22-19-3	Amended	V. 12, p. 451
22-19-4	Revoked	V. 12, p. 451
22-19-5	New	V. 12, p. 451
22-20-1	Revoked	V. 12, p. 451
22-22-1	New	V. 12, p. 451

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-4-1	Revoked	V. 12, p. 1702
23-6-8	Revoked	V. 12, p. 1702
23-16-1	Revoked	V. 12, p. 1702
23-19-1	Revoked	V. 12, p. 1702

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-1-8	Revoked	V. 12, p. 1460, 1571
25-1-15	Amended	V. 12, p. 1460, 1571
25-1-16	Revoked	V. 12, p. 1461, 1571
25-1-17	Revoked	V. 12, p. 1461, 1571
25-4-1	Amended	V. 13, p. 1195, 1400

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-5-5	Amended	V. 12, p. 1118
26-5-6	Amended	V. 12, p. 1118
26-8-1	Amended	V. 13, p. 1428
26-8-3	Amended	V. 13, p. 1429
26-8-4	Amended	V. 13, p. 1429
26-8-5	Amended	V. 13, p. 1429
26-8-7	Amended	V. 13, p. 1429

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 12, p. 315
28-1-18	Amended	V. 12, p. 1057
28-4-350	Amended	V. 12, p. 1042
28-4-351	Amended	V. 12, p. 1042

28-4-352	Amended	V. 12, p. 1043
28-4-353	Amended	V. 12, p. 1043
28-4-353a	New	V. 12, p. 1045
28-4-353b	New	V. 12, p. 1046
28-4-354	Amended	V. 12, p. 1047
28-4-355	Amended	V. 12, p. 1048
28-4-355a	New	V. 12, p. 1049
28-4-355b	New	V. 12, p. 1049
28-4-356	Amended	V. 12, p. 1051
28-4-357	Amended	V. 12, p. 1053
28-4-358	Amended	V. 12, p. 1054
28-4-359	Amended	V. 12, p. 1054
28-4-360	Amended	V. 12, p. 1057
28-15-11	Amended	V. 13, p. 1788
28-15-13	Amended	V. 13, p. 1790
28-15-14	Amended	V. 13, p. 1792
28-15-15a	Amended	V. 13, p. 1801
28-15-16	Amended	V. 13, p. 1802
28-15-19	Amended	V. 13, p. 1157
28-15-20	Amended	V. 13, p. 1157
28-15-21	New	V. 12, p. 728
28-15-22	New	V. 13, p. 1157
28-15-35	Amended	V. 12, p. 1847
28-15-36	Amended	V. 12, p. 1849
28-15-36a	New	V. 12, p. 1851
28-15-37	Amended	V. 12, p. 1852
28-16-28b through 28-16-28f	Amended	V. 13, p. 1050-1061
28-16-61	Amended	V. 12, p. 1209
28-16-150 through 28-16-154	New	V. 12, p. 1210
28-17-6	Amended	V. 12, p. 1020
28-17-20	Amended	V. 12, p. 1020
28-19-7	Amended	V. 13, p. 1865
28-19-8	Amended	V. 13, p. 1874
28-19-14	Amended	V. 13, p. 1874
28-19-14a	Revoked	V. 13, p. 1874
28-19-14b	Revoked	V. 12, p. 1853
28-19-17b	Amended	V. 13, p. 151
28-19-17c	Amended	V. 13, p. 151
28-19-17f	Amended	V. 13, p. 151
28-19-17m	Amended	V. 13, p. 151
28-19-31	Amended	V. 12, p. 1458
28-19-32	Amended	V. 12, p. 1458
28-19-63	Amended	V. 12, p. 1458
28-19-78	Revoked	V. 13, p. 151
28-19-202	Amended	V. 13, p. 1875
28-19-204	New	V. 13, p. 1876
28-19-210	New	V. 12, p. 1535
28-19-212	New	V. 13, p. 1876
28-19-275	New	V. 13, p. 1877
28-19-300 through 28-19-304	New	V. 13, p. 1877-1880
28-19-400 through 28-19-404	New	V. 13, p. 1880, 1881
28-19-500	New	V. 13, p. 1881
28-19-501	New	V. 13, p. 1882
28-19-502	New	V. 13, p. 1883
28-19-510 through 28-19-518	New	V. 13, p. 1883-1892
28-19-540 through 28-19-546	New	V. 13, p. 1892-1894
28-19-561	New	V. 13, p. 1894
28-19-562	New	V. 13, p. 1895
28-19-563	New	V. 13, p. 1896
28-19-575 through 28-19-578	New	V. 13, p. 1896, 1897
28-19-720	New	V. 13, p. 1897
28-19-735	New	V. 13, p. 1897
28-19-750 through 28-19-753	New	V. 13, p. 1897, 1898
28-23-82	Amended	V. 12, p. 1058
28-25-1 through 28-25-15	New	V. 12, p. 1058, 1059
28-29-6a	New	V. 13, p. 151
28-29-84	New	V. 12, p. 435, 487

28-29-85	New	V. 12, p. 436, 488
28-29-98	Amended	V. 13, p. 1016
28-29-99	Revoked	V. 13, p. 1017
28-29-100	New	V. 13, p. 1356
28-29-101	New	V. 13, p. 1357
28-29-102	New	V. 13, p. 1358
28-29-103	New	V. 13, p. 1361
28-29-104	New	V. 13, p. 1362
28-29-108	New	V. 13, p. 1366
28-29-111	New	V. 13, p. 1369
28-29-112	New	V. 13, p. 1371
28-29-113	New	V. 13, p. 1372
28-29-114	New	V. 13, p. 1376
28-29-121	New	V. 13, p. 1377
28-30-2	Amended	V. 12, p. 1539
28-30-3	Amended	V. 12, p. 1540
28-30-6	Amended	V. 12, p. 730
28-31-1 through 28-31-6	Amended	V. 13, p. 312-318
28-31-8	Amended	V. 13, p. 318
28-31-8b	Amended	V. 13, p. 319
28-31-9	Amended	V. 13, p. 319
28-31-10	Amended	V. 13, p. 320
28-31-11	Amended	V. 13, p. 320
28-31-14	Amended	V. 13, p. 320
28-34-1	Revoked	V. 12, p. 780
28-34-1a	New	V. 12, p. 780
28-34-2	Amended	V. 12, p. 781
28-34-3b	New	V. 12, p. 781
28-34-5	Revoked	V. 12, p. 782
28-34-5a	New	V. 12, p. 782
28-34-6	Revoked	V. 12, p. 782
28-34-6a	New	V. 12, p. 782
28-34-8	Revoked	V. 12, p. 783
28-34-8a	New	V. 12, p. 783
28-34-9a	Amended	V. 12, p. 784
28-34-10	Revoked	V. 12, p. 784
28-34-10a	New	V. 12, p. 784
28-34-16	Revoked	V. 12, p. 785
28-34-16a	New	V. 12, p. 785
28-34-17	Revoked	V. 12, p. 785
28-34-17a	New	V. 12, p. 785
28-34-17b	New	V. 12, p. 786
28-34-20	Revoked	V. 12, p. 787
28-34-20a	New	V. 12, p. 787
28-34-32a	Revoked	V. 12, p. 787
28-34-32b	New	V. 12, p. 787
28-34-125	Revoked	V. 12, p. 787
28-35-135	Amended	V. 13, p. 1287
28-35-143	Revoked	V. 12, p. 1176
28-35-144a	New	V. 13, p. 1299
28-35-180a	Amended	V. 12, p. 1176
28-35-199a	Amended	V. 13, p. 1300
28-35-211a	Amended	V. 13, p. 1300
28-35-211b	Revoked	V. 12, p. 1176
28-35-211c	New	V. 13, p. 1300
28-35-211d	New	V. 13, p. 1300
28-35-212a	Amended	V. 13, p. 1301
28-35-212b	Amended	V. 13, p. 1301
28-35-212c	New	V. 13, p. 1301
28-35-212d	New	V. 13, p. 1302
28-35-212e	New	V. 13, p. 1302
28-35-212f	New	V. 13, p. 1303
28-35-212g	New	V. 13, p. 1304
28-35-213a	Amended	V. 13, p. 1305
28-35-213b	New	V. 13, p. 1305
28-35-214a	Amended	V. 12, p. 1176
28-35-215a	Revoked	V. 13, p. 1306
28-35-217a	Amended	V. 13, p. 1306
28-35-217b	New	V. 13, p. 1306
28-35-218a	Amended	V. 12, p. 1176
28-35-219a	Amended	V. 13, p. 1306
28-35-220a	Amended	V. 13, p. 1309
28-35-221a	Amended	V. 13, p. 1309
28-35-221b	Amended	V. 13, p. 1310
28-35-222a	Amended	V. 13, p. 1317
28-35-223a	Amended	V. 13, p. 1317
28-35-224a	Amended	V. 13, p. 1317
28-35-225a	Amended	V. 13, p. 1318
28-35-226a	Amended	V. 13, p. 1318
28-35-227a	Revoked	V. 13, p. 1318

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28-35-227b through			28-46-36	Amended	V. 13, p. 155	30-5-100	Amended	V. 12, p. 1225
28-35-227f New	V. 13, p. 1318, 1319		28-46-37	Revoked	V. 13, p. 354	30-5-105	Amended	V. 12, p. 1226
28-35-228a Amended	V. 13, p. 1320		28-46-38	Amended	V. 13, p. 354	30-5-109a	Amended	V. 12, p. 1226
28-35-229a Amended	V. 13, p. 1320		28-46-39	Revoked	V. 13, p. 156	30-5-116	Amended	V. 13, p. 730
28-35-230a Amended	V. 13, p. 1320		28-46-41	Amended	V. 13, p. 156	30-5-116a	Amended	V. 12, p. 1226
28-35-230b Amended	V. 13, p. 1321		28-46-42	Amended	V. 13, p. 156	30-5-118a	Amended	V. 13, p. 731
28-35-230c New	V. 13, p. 1321		28-46-43	New	V. 13, p. 156	30-5-151	Amended	V. 12, p. 266, 579
28-35-230d New	V. 13, p. 1321		28-46-44	New	V. 13, p. 156	30-6-34	Amended	V. 13, p. 1705
28-35-230e New	V. 13, p. 1322		28-51-100 through			30-6-35w New		V. 13, p. 1705
28-35-230f New	V. 13, p. 1322		28-51-104	Amended	V. 13, p. 43-45	30-6-41w New		V. 13, p. 1705
28-35-231b Amended	V. 13, p. 1322		28-51-108	Amended	V. 13, p. 45	30-6-50w New		V. 13, p. 1706
28-35-232a Revoked	V. 13, p. 1323		28-51-110	Amended	V. 13, p. 45	30-6-52	Amended	V. 13, p. 1160
28-35-233a Revoked	V. 13, p. 1323		28-51-111	Amended	V. 13, p. 46	30-6-52w New		V. 13, p. 1706
28-35-234a Revoked	V. 13, p. 1323		28-51-112	Amended	V. 13, p. 46	30-6-53w New		V. 13, p. 1706
28-35-242 Amended	V. 12, p. 1177		28-59-5	Amended	V. 13, p. 1158	30-6-54w New		V. 13, p. 1707
28-35-245 Revoked	V. 12, p. 1177		28-59-5a New		V. 13, p. 1159	30-6-55w New		V. 13, p. 1708
28-35-246 Revoked	V. 12, p. 1177		28-59-7	Amended	V. 13, p. 1159	30-6-56	Amended	V. 13, p. 734
28-35-247 Amended	V. 12, p. 1177		28-65-1	Amended	V. 12, p. 1541	30-6-56w New		V. 13, p. 1708
28-35-248 Revoked	V. 12, p. 1177		28-65-2	Amended	V. 13, p. 1551	30-6-59w New		V. 13, p. 1710
28-35-249 Amended	V. 12, p. 1177		28-65-3	Amended	V. 13, p. 1552	30-6-60w New		V. 13, p. 1710
28-35-250 Revoked	V. 12, p. 1177		28-65-4	Amended	V. 13, p. 1552	30-6-65w New		V. 13, p. 1710
28-35-250a New	V. 12, p. 1177		28-66-1 through			30-6-70w New		V. 13, p. 1711
28-35-251 Amended	V. 12, p. 1177		28-66-4	New	V. 13, p. 46-48	30-6-72w New		V. 13, p. 1711
28-35-253 New	V. 12, p. 1177		28-67-1 through			30-6-77	Amended	V. 13, p. 1711
28-35-254 New	V. 12, p. 1177		28-67-12	New	V. 13, p. 1645-1649	30-6-77w New		V. 13, p. 1712
28-35-255 New	V. 12, p. 1177					30-6-78w New		V. 13, p. 1712
28-35-276 Amended	V. 12, p. 1177					30-6-81w New		V. 13, p. 1713
28-35-282 Amended	V. 12, p. 1177					30-6-82w New		V. 13, p. 1713
28-35-284 Amended	V. 12, p. 1177					30-6-85w New		V. 13, p. 1713
28-35-285 Amended	V. 12, p. 1177					30-6-86w New		V. 13, p. 1713
28-35-287 Amended	V. 12, p. 1177					30-6-87w New		V. 13, p. 1713
28-35-288 Amended	V. 12, p. 1177					30-6-94w New		V. 13, p. 1714
28-35-333 Amended	V. 13, p. 1323					30-6-103	Amended	V. 13, p. 1714
28-35-334 Amended	V. 13, p. 1324					30-6-103w New		V. 13, p. 1714
28-35-341 through						30-6-105w New		V. 13, p. 1715
28-35-363 New	V. 12, p. 1177, 1178					30-6-106	Amended	V. 12, p. 1740, 1784
28-36-21 Amended	V. 12, p. 1059					30-6-106w New		V. 13, p. 1715
28-36-30 Amended	V. 12, p. 1211					30-6-107	Amended	V. 13, p. 1717
28-38-18 through						30-6-107w New		V. 13, p. 1717
28-38-23 Amended	V. 12, p. 437, 438					30-6-109	Amended	V. 13, p. 735
28-38-29 New	V. 12, p. 439					30-6-109w New		V. 13, p. 1717
28-39-76 Revoked	V. 12, p. 1399					30-6-110w New		V. 13, p. 1719
28-39-77 Revoked	V. 12, p. 1399					30-6-111	Amended	V. 13, p. 1719
28-39-77a Revoked	V. 12, p. 1400					30-6-111w New		V. 13, p. 1720
28-39-78 Revoked	V. 12, p. 1400					30-6-112	Amended	V. 13, p. 1722
28-39-79 Revoked	V. 13, p. 37					30-6-112w New		V. 13, p. 1723
28-39-80 Revoked	V. 13, p. 37					30-6-113	Amended	V. 13, p. 1724
28-39-81 Revoked	V. 13, p. 37					30-6-113w New		V. 13, p. 1725
28-39-81a Revoked	V. 13, p. 37					30-6-150	Amended	V. 12, p. 1745, 1789
28-39-81b Revoked	V. 13, p. 37					30-6-150w New		V. 13, p. 1726
28-39-82 through						30-7-100	Amended	V. 12, p. 398
28-39-103 Revoked	V. 12, p. 1400					30-10-1a	Amended	V. 13, p. 1163
28-39-103a Revoked	V. 12, p. 1400					30-10-1b	Amended	V. 13, p. 1165
28-39-104 through						30-10-1c	Amended	V. 12, p. 1748
28-39-113 Revoked	V. 12, p. 1400					30-10-1d	Amended	V. 12, p. 1748
28-39-144 through						30-10-2	Amended	V. 13, p. 1165
28-39-162 New	V. 12, p. 1400-1416					30-10-7	Amended	V. 13, p. 1727
28-39-162a New	V. 12, p. 1417					30-10-11	Amended	V. 12, p. 1749
28-39-162b New	V. 12, p. 1422					30-10-15a	Amended	V. 12, p. 1751
28-39-162c New	V. 12, p. 1424					30-10-17	Amended	V. 12, p. 1753
28-39-163 New	V. 12, p. 1428					30-10-18	Amended	V. 13, p. 1167
28-39-164 through						30-10-19	Amended	V. 12, p. 1756
28-39-174 New	V. 13, p. 37-42					30-10-23a	Amended	V. 12, p. 1756
28-39-227 through						30-10-25	Amended	V. 12, p. 1757
28-39-239 New	V. 13, p. 399-403					30-10-28	Amended	V. 12, p. 1758
28-44-28 New	V. 12, p. 1541					30-31-7	Amended	V. 12, p. 901, 975
28-44-29 New	V. 12, p. 1541					30-46-10	Amended	V. 12, p. 1231
28-46-1 Amended	V. 13, p. 152					30-65-1	New	V. 12, p. 1592, 1632
28-46-2 Amended	V. 13, p. 152					30-65-2	New	V. 12, p. 1593, 1633
28-46-3 Amended	V. 13, p. 152					30-65-3	New	V. 12, p. 1593, 1633
28-46-5 through								
28-46-22 Amended	V. 13, p. 152, 153							
28-46-24 Amended	V. 13, p. 154							
28-46-26 through								
28-46-34 Amended	V. 13, p. 154, 155							

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 13, p. 1159
30-4-34	Amended	V. 13, p. 1685
30-4-35w	New	V. 13, p. 1685
30-4-41w	New	V. 13, p. 1685
30-4-50w	New	V. 13, p. 1686
30-4-52	Amended	V. 12, p. 1213
30-4-52w	New	V. 13, p. 1686
30-4-53w	New	V. 13, p. 1686
30-4-54w	New	V. 13, p. 1686
30-4-55w	New	V. 13, p. 1686
30-4-58w	New	V. 13, p. 1687
30-4-59w	New	V. 13, p. 1688
30-4-61w	New	V. 13, p. 1688
30-4-63	Amended	V. 12, p. 1213
30-4-63w	New	V. 13, p. 1688
30-4-64	Amended	V. 12, p. 1215
30-4-64w	New	V. 13, p. 1689
30-4-70w	New	V. 13, p. 1670
30-4-71w	New	V. 13, p. 1690
30-4-72w	New	V. 13, p. 1690
30-4-73	Amended	V. 12, p. 386
30-4-74w	New	V. 13, p. 1691
30-4-85a	Amended	V. 12, p. 1461, 1486
30-4-90	Amended	V. 13, p. 721
30-4-90w	New	V. 13, p. 1691
30-4-96	Amended	V. 13, p. 1159
30-4-100w	New	V. 13, p. 1693
30-4-105w	New	V. 13, p. 1694
30-4-106w	New	V. 13, p. 1694
30-4-109w	New	V. 13, p. 1695
30-4-110w	New	V. 13, p. 1696
30-4-111	Amended	V. 12, p. 1737, 1781
30-4-111w	New	V. 13, p. 1696
30-4-112	Amended	V. 13, p. 1697
30-4-112w	New	V. 13, p. 1698
30-4-113	Amended	V. 13, p. 1699
30-4-113w	New	V. 13, p. 1699
30-4-120w	New	V. 13, p. 1700
30-4-122a	Amended	V. 12, p. 1461, 1486
30-4-130	Amended	V. 12, p. 1217
30-4-130w	New	V. 13, p. 1700
30-4-140w	New	V. 13, p. 1702
30-5-58	Amended	V. 13, p. 723
30-5-59	Amended	V. 13, p. 1702
30-5-60	Amended	V. 12, p. 393
30-5-64	Amended	V. 13, p. 730
30-5-65	Amended	V. 13, p. 730
30-5-70	Amended	V. 12, p. 394
30-5-71	Amended	V. 13, p. 1703
30-5-73	Amended	V. 12, p. 1224
30-5-81b	Amended	V. 12, p. 1225
30-5-82a	Amended	V. 13, p. 730

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-27-11	Revoked	V. 13, p. 91
36-37-1 through		
36-37-6	New	V. 12, p. 309, 310
36-38-1	New	V. 12, p. 310
36-38-2	New	V. 12, p. 310
36-39-1 through		
36-39-6	New	V. 12, p. 1088-1090

AGENCY 40: KANSAS INSURANCE
DEPARTMENT

Reg. No.	Action	Register
40-1-22	Amended	V. 13, p. 185
40-1-39	New	V. 12, p. 1563
40-1-41	New	V. 12, p. 1563
40-2-23	New	V. 12, p. 1564
40-3-10	Revoked	V. 12, p. 1564
40-3-32	Amended	V. 12, p. 1564
40-3-33	Amended	V. 12, p. 1565
40-3-47	Amended	V. 13, p. 185
40-3-50	New	V. 12, p. 1568
40-4-2	Amended	V. 12, p. 1568
40-5-12	New	V. 12, p. 1568

AGENCY 44: DEPARTMENT OF
CORRECTIONS

Reg. No.	Action	Register
44-2-103	New	V. 12, p. 822
44-5-102	Revoked	V. 13, p. 835
44-5-115	New	V. 13, p. 1755
44-6-124	Amended	V. 13, p. 1755
44-6-142	Amended	V. 13, p. 1756
44-6-146	Amended	V. 13, p. 1756
44-7-104	Amended	V. 13, p. 835
44-7-116	New	V. 12, p. 1155
44-9-103	Revoked	V. 13, p. 836
44-9-104	Revoked	V. 13, p. 837
44-9-105	Amended	V. 13, p. 837
44-12-601	Amended	V. 13, p. 1757
44-12-1202	Amended	V. 13, p. 1758
44-12-1308	Amended	V. 13, p. 1758
44-13-201	Amended	V. 13, p. 837
44-13-201b	Amended	V. 13, p. 838
44-13-202	Amended	V. 13, p. 838
44-13-402	Amended	V. 13, p. 839
44-13-403	Amended	V. 13, p. 839
44-13-408	Amended	V. 13, p. 1758
44-13-603	Amended	V. 13, p. 841
44-13-704	Amended	V. 13, p. 1759
44-14-101	Amended	V. 12, p. 1593
44-14-102	Amended	V. 12, p. 1594
44-14-201	Amended	V. 12, p. 1594
44-14-301	Amended	V. 12, p. 1594
44-14-302	Amended	V. 13, p. 841
44-14-303	Amended	V. 12, p. 1596
44-14-305	Amended	V. 12, p. 1596
44-14-305a	Revoked	V. 12, p. 1596
44-14-306	Amended	V. 12, p. 1596
44-14-307	Amended	V. 12, p. 1597
44-14-309	Amended	V. 12, p. 1597
44-14-310	Amended	V. 12, p. 1597
44-14-311	Amended	V. 12, p. 1597
44-14-314	Amended	V. 12, p. 1597
44-14-316	Amended	V. 12, p. 1597
44-14-318	New	V. 12, p. 1597

AGENCY 51: DEPARTMENT OF
HUMAN RESOURCES—
DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 12, p. 1399

AGENCY 56: OFFICE OF THE
ADJUTANT GENERAL

Reg. No.	Action	Register
56-2-1	New	V. 12, p. 1736
56-2-2	New	V. 12, p. 1736
56-3-1		
through		V. 13, p. 89-91,
56-3-6	New	111-112

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-101	Revoked	V. 12, p. 1205
60-1-102	Amended	V. 12, p. 348
60-1-103	Amended	V. 12, p. 348
60-3-101	Amended	V. 12, p. 348
60-3-102	Amended	V. 13, p. 1498
60-3-104	Revoked	V. 13, p. 365
60-3-105	Amended	V. 13, p. 365
60-3-106	Amended	V. 13, p. 365
60-3-106a	New	V. 13, p. 365
60-3-110	Amended	V. 13, p. 1086
60-3-111	New	V. 12, p. 349
60-4-101	Amended	V. 13, p. 365

60-4-103	Amended	V. 13, p. 365
60-7-104	Amended	V. 13, p. 366
60-7-106	Amended	V. 13, p. 1086
60-7-108	New	V. 12, p. 349
60-8-101	Amended	V. 13, p. 366
60-9-105	Amended	V. 12, p. 349
60-9-107	Amended	V. 12, p. 1206
60-11-103	Amended	V. 13, p. 1086
60-11-104a	Amended	V. 13, p. 1754
60-11-108	Amended	V. 13, p. 1087
60-11-113	Amended	V. 13, p. 366
60-11-118	Amended	V. 12, p. 350
60-11-119	Amended	V. 12, p. 489
60-12-104	Amended	V. 12, p. 1208
60-12-105	Amended	V. 12, p. 1208
60-13-101	Amended	V. 12, p. 489
60-13-110	Amended	V. 13, p. 366
60-16-101		
through		
60-16-105	New	V. 13, p. 1498-1500

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 12, p. 1598
63-1-4	Amended	V. 12, p. 632
63-3-10	Amended	V. 12, p. 632
63-3-11	Amended	V. 12, p. 632
63-3-19	Amended	V. 12, p. 633
63-4-1	Amended	V. 12, p. 1598

AGENCY 65: BOARD OF EXAMINERS
IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 12, p. 630
65-4-4	Amended	V. 12, p. 630

AGENCY 66: BOARD OF
TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-6	Amended	V. 12, p. 1926
66-6-8	Amended	V. 12, p. 1926
66-6-9	Amended	V. 12, p. 1926
66-8-2		
through		
66-8-5	Amended	V. 12, p. 1926, 1927
66-9-1	Amended	V. 12, p. 1927
66-9-2	Amended	V. 12, p. 1927
66-9-4	Amended	V. 12, p. 1927
66-9-5	Amended	V. 12, p. 1928
66-10-1	Amended	V. 12, p. 1928
66-10-3	Amended	V. 12, p. 1928
66-10-4	Amended	V. 12, p. 1928
66-10-9	Amended	V. 12, p. 1928
66-11-1	Amended	V. 12, p. 1929
66-11-2	Amended	V. 12, p. 1929
66-12-1	Amended	V. 12, p. 1929

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 13, p. 533
68-1-1f	Amended	V. 13, p. 534
68-7-12a	New	V. 12, p. 186
68-7-14	Amended	V. 13, p. 534
68-7-19	New	V. 12, p. 187
68-11-1	Amended	V. 13, p. 534
68-11-2	Amended	V. 13, p. 535
68-12-2	Amended	V. 12, p. 187
68-20-9	Amended	V. 13, p. 535
68-20-18	Amended	V. 12, p. 187
68-20-19	Amended	V. 12, p. 188

AGENCY 69: BOARD OF
COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended	V. 13, p. 4
69-11-1	Amended	V. 12, p. 1633
69-12-1		
through		
69-12-17	New	V. 12, p. 1633-1635
69-13-1	New	V. 13, p. 1825
69-13-2	New	V. 13, p. 1825
69-13-3	New	V. 13, p. 1825

AGENCY 70: BOARD OF
VETERINARY EXAMINERS

Reg. No.	Action	Register
70-1-4	New	V. 13, p. 1681
70-1-5	New	V. 13, p. 1681

70-5-1	Amended	V. 13, p. 445
70-6-1	New	V. 13, p. 1681

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-16	New	V. 13, p. 1085
71-1-17	New	V. 13, p. 1085
71-1-18	New	V. 12, p. 1700
71-3-3	Amended	V. 13, p. 1085

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-8	Amended	V. 12, p. 1922
74-5-2	Amended	V. 12, p. 1039
74-5-202	Amended	V. 13, p. 1152
74-5-203	Amended	V. 13, p. 1152
74-5-405	Amended	V. 12, p. 1040
74-5-406	Amended	V. 12, p. 1040
74-6-1	Amended	V. 12, p. 1040
74-6-2	Amended	V. 12, p. 1041
74-8-2	Amended	V. 12, p. 1041
74-8-5	Amended	V. 12, p. 1041

74-11-1		
through		
74-11-5	Revoked	V. 12, p. 1922
74-11-6		
through		
74-11-14	New	V. 12, p. 1922-1926
74-12-1	Amended	V. 13, p. 1152
74-14-1	New	V. 12, p. 1041
74-14-2	New	V. 12, p. 1041

AGENCY 75: CONSUMER CREDIT
COMMISSIONER

Reg. No.	Action	Register
75-6-6	Amended	V. 13, p. 276

AGENCY 80: KANSAS PUBLIC
EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-8-1		
through		
80-8-7	New	V. 12, p. 980, 981

AGENCY 81: OFFICE OF THE
SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-1	Amended	V. 12, p. 788
81-3-3	Amended	V. 12, p. 790
81-3-4	New	V. 12, p. 790
81-5-3	Amended	V. 12, p. 790
81-5-7	Amended	V. 13, p. 1355
81-5-8	Amended	V. 12, p. 791
81-5-9	Amended	V. 12, p. 791
81-5-10	New	V. 12, p. 791
81-5-11	New	V. 12, p. 1873
81-7-1	Amended	V. 12, p. 791
81-7-2	New	V. 12, p. 794
81-11-11	Amended	V. 12, p. 794

AGENCY 82: STATE CORPORATION
COMMISSION

Reg. No.	Action	Register
82-1-228	Amended	V. 12, p. 147
82-1-232	Amended	V. 12, p. 148
82-3-107	Amended	V. 13, p. 531
82-3-138	Amended	V. 13, p. 532
82-3-200	Amended	V. 13, p. 532
82-3-203	Amended	V. 13, p. 532
82-3-206	Amended	V. 12, p. 1592
82-3-307	Amended	V. 12, p. 1592
82-3-401	Amended	V. 12, p. 376
82-3-401a	New	V. 12, p. 377
82-3-604	Amended	V. 13, p. 532
82-3-605	Amended	V. 13, p. 533
82-4-1	Amended	V. 13, p. 1187
82-4-3	Amended	V. 13, p. 1188
82-4-6d	Amended	V. 13, p. 1189
82-4-8a	Amended	V. 12, p. 441
82-4-20	Amended	V. 13, p. 1189
83-4-22	Amended	V. 13, p. 1190
82-4-23	Amended	V. 13, p. 1190
82-4-24a	Amended	V. 13, p. 1191
82-4-27	Amended	V. 13, p. 1191
82-4-27a	Amended	V. 13, p. 1191
82-4-27f	Amended	V. 13, p. 1192

(continued)

82-4-28	Amended	V. 13, p. 1192
82-4-29	Amended	V. 12, p. 443
82-4-29a	Amended	V. 13, p. 1193
82-4-30	Amended	V. 13, p. 1193
82-4-31	Amended	V. 13, p. 1193
82-4-32	Amended	V. 13, p. 1193
82-4-33	Amended	V. 13, p. 1194
82-4-34	Revoked	V. 12, p. 443
82-4-35a	Amended	V. 13, p. 1194
82-4-37	Amended	V. 13, p. 1194
82-4-38	Revoked	V. 12, p. 443
82-4-39	Amended	V. 13, p. 1194
82-4-42	Amended	V. 13, p. 1194

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 12, p. 1662
86-1-11	Amended	V. 12, p. 1662
86-2-8	New	V. 13, p. 1108
86-3-7	Amended	V. 12, p. 1663
86-3-22	Amended	V. 12, p. 1663
86-3-24	Revoked	V. 12, p. 980

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-10-4	Amended	V. 12, p. 631
88-11-5	Amended	V. 12, p. 631
88-12-1 through 88-12-8	Amended	V. 13, p. 1542
88-22-1 through 88-22-10	New	V. 12, p. 93, 94

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-30	Amended	V. 12, p. 579
91-1-30a	Amended	V. 13, p. 975
91-1-56	Amended	V. 13, p. 308
91-1-80	Amended	V. 12, p. 580
91-1-85	Amended	V. 13, p. 976
91-1-92	Amended	V. 13, p. 976
91-1-93a	Amended	V. 13, p. 977
91-1-102	Revoked	V. 13, p. 367
91-1-102a	Amended	V. 13, p. 308
91-1-104	Revoked	V. 13, p. 367
91-1-104a	Revoked	V. 13, p. 367
91-1-104b	Amended	V. 13, p. 309
91-1-104c	Amended	V. 13, p. 309
91-1-110a	Amended	V. 12, p. 582
91-1-110b	Revoked	V. 13, p. 367
91-1-110c	Amended	V. 13, p. 310
91-1-112a	Revoked	V. 13, p. 367
91-1-112b	Revoked	V. 13, p. 367
91-1-112c	Amended	V. 13, p. 310
91-1-112d	Amended	V. 13, p. 311
91-1-113a	Revoked	V. 13, p. 367
91-1-113b	Amended	V. 13, p. 311
91-12-22	Amended	V. 12, p. 1929
91-12-23	Amended	V. 12, p. 1933
91-12-24a	Amended	V. 12, p. 590
91-12-27	Amended	V. 12, p. 590
91-12-28	Amended	V. 12, p. 590
91-12-30	Amended	V. 12, p. 591
91-12-33	Amended	V. 12, p. 591
91-12-37	Amended	V. 12, p. 591
91-12-40	Amended	V. 12, p. 592
91-12-41	Amended	V. 12, p. 593
91-12-44	Amended	V. 12, p. 594
91-12-45	Amended	V. 12, p. 1934
91-12-46	Amended	V. 12, p. 1935
91-12-47	Amended	V. 12, p. 595
91-12-51	Amended	V. 12, p. 596
91-12-53	Amended	V. 12, p. 596
91-12-54	Amended	V. 12, p. 597
91-12-55	Amended	V. 12, p. 598
91-12-59	Amended	V. 12, p. 598
91-12-61	Amended	V. 12, p. 598
91-12-64	Amended	V. 12, p. 599
91-12-65	Amended	V. 12, p. 600
91-12-71	Amended	V. 12, p. 1935

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-5-2	Amended	V. 12, p. 351
98-5-3	Amended	V. 12, p. 352
98-5-5	Amended	V. 12, p. 353

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-40-21 through 99-40-46	New	V. 13, p. 1013-1015
99-40-100	New	V. 13, p. 1608
99-40-101	New	V. 13, p. 1608
99-40-104	New	V. 13, p. 1608
99-40-105	New	V. 13, p. 1609

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-1	Amended	V. 13, p. 637
100-11-1	Amended	V. 12, p. 1704
100-24-1	Amended	V. 13, p. 638
100-26-1	New	V. 13, p. 638
100-35-7	Amended	V. 13, p. 638
100-38-1	Amended	V. 12, p. 1704
100-46-3	Amended	V. 13, p. 638
100-46-5	Amended	V. 13, p. 638
100-46-6	New	V. 12, p. 679
100-47-1	Amended	V. 12, p. 679
100-49-4	Amended	V. 12, p. 1704
100-54-6	Amended	V. 12, p. 1704
100-55-6	Amended	V. 12, p. 1704
100-60-13	Amended	V. 13, p. 638

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 12, p. 1038
102-5-1 through 102-5-12	New	V. 12, p. 189-194
102-5-2	Amended	V. 12, p. 1038

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-2-1	Amended	V. 13, p. 183
105-3-2	Amended	V. 12, p. 976, 1013
105-3-11	New	V. 13, p. 184
105-5-2	Amended	V. 13, p. 184
105-5-6	Amended	V. 12, p. 977, 1013
105-5-7	Amended	V. 12, p. 977, 1014
105-5-8	Amended	V. 12, p. 977, 1014
105-5-9	New	V. 12, p. 1014
105-9-5	New	V. 12, p. 1014
105-10-1	Revoked	V. 13, p. 184
105-10-1a	New	V. 13, p. 184
105-10-3	New	V. 13, p. 184
105-10-4	New	V. 13, p. 185
105-10-5	New	V. 13, p. 185

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 12, p. 1873
109-2-5	Amended	V. 12, p. 1015
109-2-8	Amended	V. 12, p. 1016
109-5-1	Amended	V. 13, p. 1649
109-8-1	Amended	V. 13, p. 1650
109-9-4	Amended	V. 12, p. 1874
109-9-5	Amended	V. 12, p. 1875
109-10-2	New	V. 12, p. 1091
109-10-3	New	V. 12, p. 1875
109-10-4	New	V. 12, p. 1876
109-10-5	New	V. 13, p. 1651
109-11-1	Amended	V. 12, p. 1876
109-11-4	Amended	V. 12, p. 1019
109-11-8	Amended	V. 12, p. 1876
109-13-1	New	V. 12, p. 1877
109-13-3	New	V. 12, p. 1877

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-6-1 through 110-6-6	New	V. 12, p. 1294, 1295, 1489, 1490
110-7-1 through 110-7-4	New	V. 13, p. 1407, 1408, 1571, 1572

110-6-7	New	V. 12, p. 1490
110-40-5	Amended	V. 13, p. 1132

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 13, p. 1045
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111-2-6	Revoked	V. 13, p. 149
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111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 13, p. 1435
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111-2-17	Revoked	V. 10, p. 1210
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111-3-6	Amended	V. 12, p. 677
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111-3-25	Amended	V. 13, p. 1827
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111-3-27	Amended	V. 11, p. 1149
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AGENCY 117: REAL ESTATE APPRAISAL BOARD

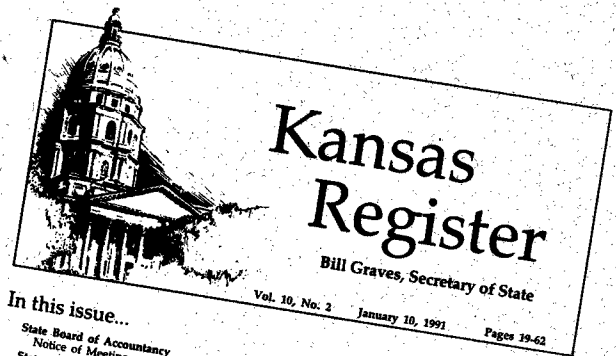
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AGENCY 120: HEALTH CARE DATA GOVERNING BOARD

Reg. No.	Action	Register
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